



Department of Administrative Services **State Purchasing Division**

eQuote

User's Guide

V3-2009

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How to Use This Guide

To make it easier for you to identify certain sections within this user guide, we have created a list of icons. These icons illustrate tasks, timeframes, and dependencies.

Notes are preceded with this icon. Notes are used to call your attention to facts regarding the topic being discussed.

Warnings, Alerts and Exceptions are preceded with this icon.



A reminder.

Information indicates to review other documentation available on the topic.

Purpose of This Guide

This User's Guide helps you use and understand eQuote. In addition to this eQuote User's Guide, a companion manual is available for suppliers. Training is also available for users and is provided by the Professional Development staff of the State Purchasing Division.

Introduction to eQuote

What is eQuote?

eQuote is a procurement sourcing and solicitation tool that enables purchasing agents to electronically solicit bid opportunities valued up to an agency's Delegated Purchase Authority (DPA), and with approval from the State Purchasing Division (SPD), to post solicitations above the agency's DPA. Essentially, eQuote is an alternative to faxing small value purchase requests between \$5,000 and \$9,999 and to posting solicitations between \$10,000 and above to the Georgia Procurement Registry (GPR).

For those State of Georgia governmental entities not bound by the rules and regulations of the purchasing section of the Official Code of Georgia Annotated (O.C.G.A.) and the Georgia Procurement Manual (GPM), including purchasing agents working for state authorities and those working for the legislative or judicial branch of state government, eQuote bids have no dollar limitation. In addition, there is no dollar limit associated with using eQuote for bids for purchases that are in and of themselves deemed to be "exempt". These purchasing exemptions are described later in this manual. There is also no dollar restriction for any city, county, K-12 public school or other non-state governmental entity that opts to use eQuote.

Benefits of Using eQuote

eQuote enables the contacted suppliers to electronically respond to the bid opportunity, and, therefore eliminates or greatly reduces the paper needed to respond to a bid solicitation. eQuote also helps responding suppliers prevent simple arithmetic errors. Meanwhile, suppliers receive online updates of any solicitation changes and/or addenda via email notifications, thereby making it much easier to manage the entire bidding process. Once the supplier submits his/her eQuote response, the supplier receives immediate confirmation of the eQuote bid submission and is still able to make edits between the eQuote posting and closing time. Once bids have been submitted and the bid closing date and time have been reached, purchasing agents are able to evaluate submitted bids, make an award decision, and notify all responding suppliers of the award decision.

Other advantages of using eQuote is that the eQuote system generates a unique eQuote number that allows the tracking of documentation, reporting, and open records requests. Thus, eliminating the need to obtain a Request for Quotation (RFQ) number.

eQuote Differences for Type of Purchase and for Type of Governmental Entity

Users use eQuote differently depending on two factors:

- Type of purchase
- Type of governmental entity

Type of Purchase

When a state agency, college, university, or technical school uses eQuote for an exempt purchase, there is no dollar amount limitation or DPA to adhere to. SPD does not need to be contacted or involved in the posting, evaluation, or awarding of an exempt purchase, and the award does not have to announced or publically posted.

Exempt purchases are those as defined in the GPM and are in accordance with the O.C.G.A. Often a decision will be made to post or advertise an exempt purchase to obtain the best pricing and competition. Non-exempt purchases are those that are bound to adhere to the requirements set forth by the O.C.G.A. and the GPM. For non-exempt purchases, agencies, colleges, universities, and technical schools may use eQuote to make a purchase up to their DPA without SPD involvement. For purchases above their DPA, SPD must be officially and formally contacted to request authorization.

Type of Governmental Entity

Any state agency can use eQuote according to the rules of the State Purchasing Act (SPA) and following the policies and procedures established by the Department of Administrative Services (DOAS). For these agencies, the use of eQuote depends on whether the goods or services to be purchased are exempt or non-exempt.

Those state organizations that are excluded from the SPA and are not required to adhere to the policies and procedures established by DOAS can also use eQuote. These include state authorities and those entities under the judicial and legislative branches of government. For these organizations, all purchases are exempt. eQuote is also available to any city, county, public school or other municipal governmental organization, and the purchases of these types of governmental entities are also Exempt.

Knowing When and How to use eQuote for State Agencies

You can use eQuote for most non-complex Requests for Quotations (RFQs).

All eQuotes are also posted by the system to the public side of the GPR through the use of an automated link. A supplier who uses this link and learns about an eQuote can contact the purchasing agent listed with the eQuote to obtain access to that eQuote.

The following chart helps you make the determination when to use eQuote.

Amount	Policy	Tools Used
Under \$5,000	No bidding required	P-card, email, phone, eQuote
\$5,000- \$9,999	6 (3 minority)	eQuote or GPR
\$10,000- \$49,999	10 (5 minority)	eQuote or GPR
\$50,000- \$99,999	15 (7 minority)	GPR, equote, eQuote with SPD approval for agencies with <\$100,000

\$100,000+	, , , , , ,	GPR, equote, eQuote with SPD approval for agencies with \$100,000+
		DPA, eQuote for SPD

As a reminder, you cannot use eQuote for any Sole Source, non-maintenance/non-repair construction, or any Request for Proposal (RFP) solicitations.

State Agency eQuote Posting Differences by Purchase Amount

For state agencies, the length of time to post a non-exempt eQuote depends on the amount of the purchase:

- For eQuotes under \$250,000, the chart shows a minimum posting time and a recommended posting time.
- For eQuotes \$250,000 or more a minimum of 15 calendar days is required, and there can be no approval for less time.

It is important that you follow the recommended posting time. Doing so increases the possibility of receiving competitive bid responses. If you need to use the minimum posting time, you must indicate a reason for doing so in your documentation. You should also indicate this same reason in the Comments section of the eQuote.

Should there be a situation whereby you are in a position of having to post for *less than* the minimum number of days, you must get permission in writing from SPD prior to doing so and you must maintain the SPD approval in your documentation file.

Type of Purchase Minimum Posting Time Rationale

Type of Purchase	Minimum Posting Time	Rationale
Sole Source Solicitation	3 business days on GPR only	Cannot use eQuote
Type of Purchase	Minimum Posting Time	Rationale
Solicitations valued from \$0 to \$9,999.99	eQuote post minimum of three (3) business days; recommend for three (3) business days	Recommended minimum; must receive written approval from SPD for less than minimum
Solicitations from \$10,000.00- \$49,999.99	eQuote post minimum of seven (7) calendar days; recommend for ten (10) calendar days	Recommended minimum- must be justified; must receive written approval from SPD for less than minimum
Solicitations from \$50,000.00- \$99,999.99	eQuote post minimum of eight (8) calendar days; recommend for fifteen (15) calendar days	Recommended minimum- must be justified; must receive written approval from SPD for less than minimum
Solicitations from \$100,000.00- \$249,999.99	eQuote post minimum of ten (10) calendar days; recommend for twenty (20) calendar days	Recommended minimum- must be justified; must receive written approval from SPD for less than minimum
Any solicitation valued at \$250,000.00 and above	eQuote post minimum of fifteen (15) calendar days; recommend for thirty (30) calendar days	Required number of days (mandated by law); no approval for less than miminum.

Accessing eQuote

To use eQuote, the purchasing agent must be registered on the Georgia Procurement Registry (GPR). The Agency Procurement Officer (APO)/University Procurement Officer (UPO) for each agency (or head procurement official for non-state entities) is responsible for determining who will have access to eQuote and then for registering new users to the system. Users already registered with the GPR are automatically able to use eQuote.

For information on how to register new GPR and eQuote users, please contact State Purchasing Help Desk at 404-657-6000.

The following indicates the different levels of security for eQuote users:

Security Level: Position	System Access
Level 6: APO or Senior Manager	GPR and eQuote with access to all agency bids
Level 2: Agency Procurement Supervisor	GPR and eQuote with access to own bids and solicitations made by Level 1 staff
Level 1: Agency Buyer	GPR and eQuote with access to own bids
Level 0: Buyer for small value items or services only	eQuote system only with access to own bids

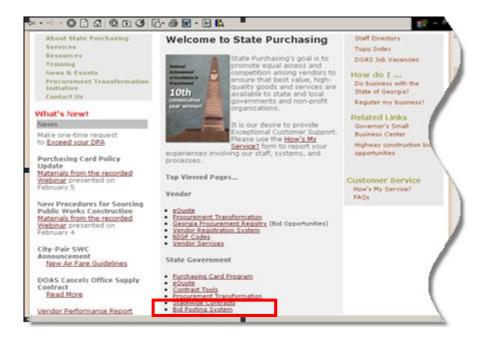
Note that levels 3, 4, 5, 7, and 8 are designated for DOAS State Purchasing staff.

You access eQuote by going to the DOAS webpage located at http://www.doas.georgia.gov.

1 Click on the State Purchasing link listed under the section Quick Links.



When the following screen displays, click on the Bid Posting System link listed under the section titled State Government.



3 Click on the link State Purchasing Bid Posting System.

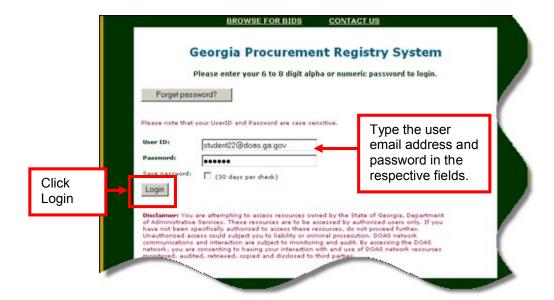


The following log in screen displays.



Logging In

To log onto eQuote type your user's email address in the User ID field and your password in the Password field. For the first time accessing the system, type Password in the Password field.



If this is the first time you are logging into the GPR, eQuote prompts you to complete required information and provide your own password. This prompt to change your password displays at the bottom of the screen.

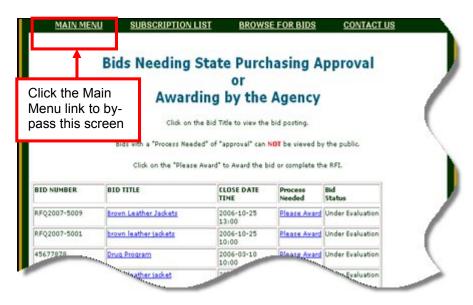
The next screen confirms that you have successfully logged in. Click Proceed to continue.



The next screen requires that you sign on to eQuote, but this time you must use your User ID and new Password.



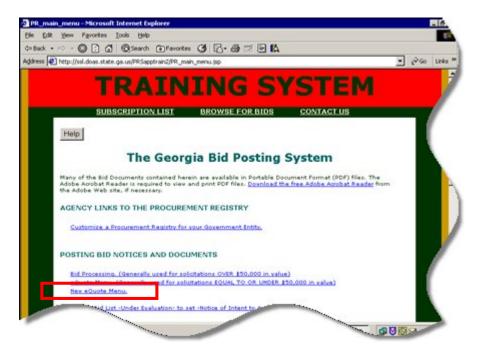
Once you have logged in, eQuote displays any contracts your agency has that are still in a pending status. You will not be using this screen in eQuote, therefore, let's bypass this screen and continue with eQuote Main Menu. Click on the Main Menu link to proceed.



The next screen that appears is the GPR menu. Click on the link New eQuote Menu.

It is important to understand that you access eQuote through the GPR Menu, which vary depending on the user's security level. You will notice that the old version of eQuote is

still available. This selection is available to enable purchasing agents and others to work with and view eQuotes posted prior to the March 31, 2008 implementation of the enhanced version of eQuote. However, you cannot post new eQuotes in the old version.



Although the available menu displays based on user's selected security level, the difference in menus is not an important factor for eQuote with the exception of the Reporting function. For this reason, only the Level 6 GPR menu displays here. All levels of users enter eQuote using the same method.

Posting a New eQuote

Prior to posting a new eQuote, follow these steps to help simplify the process.

- Locate all documents you plan to attach to the eQuote and save them in an easily retrievable location on your computer.
- Determine all descriptions and comments you plan to include in your eQuote and create them in a separate Word document from which you will be able to cut and paste onto your eQuote. (This is suggested because the eQuote tool does not include spell check capability).
- 3 Decide on which NIGP Codes you plan to use with your eQuote.
- 4 Since using eQuote replaces posting an RFQ to the GPR, determine what other requirements are part of the solicitation so that you can include these in your specifications and requirements and potential suppliers can be told what to include in their responses.

Below is a list of points to consider including as part of your eQuote solicitation:

- Well-defined specifications or a clear description of scope of work
- All contractual terms and conditions
- Delivery requirements
- Quality expected, including performance requirements
- Samples required, if necessary
- Packaging requirements
- Warranty information
- Insurance and/or bonds requirement, if applicable
- Pre-bid conference or site visit information, if applicable (must not be less than 5 business days before eQuote closing date)
- References required, if necessary
- Training requirements
- Maintenance or installation requirements
- Whether or not you are going to ask suppliers to submit discount options for early payment
- Asking suppliers to specify the length of time their pricing is good for (since eQuote allows for re-awarding)
- Asking the supplier if the P-card is accepted



1 To post a new eQuote, start at the eQuote Main Menu

Exempt versus Non-exempt eQuotes (for State Agencies, Colleges, Universities and Technical Schools)

Handling eQuotes for Exempt purchases is different from handling eQuotes for Non-exempt purchases. Exempt purchases have no monetary limitation or SPD approvals, do not require formal posting or reading at closing, and do not require either to have an NOIA or an NOA to be posted.

Exempt purchases are those described as such in the GPM and include:

- Construction and/or Public Works Contracts for several public authorities, the Board of Regents, and the Department of Transportation. This does not apply to purchasing construction or building materials.
- Department of Education's purchase of school textbooks
- Space Management for real estate administration
 Department of Defense for purchase and issuance of military property
- Technical instruments and supplies and technical books and other printed matter on technical subjects; also, manuscripts, maps, books, pamphlets, and periodicals for the use of the State Library or any other library in the state

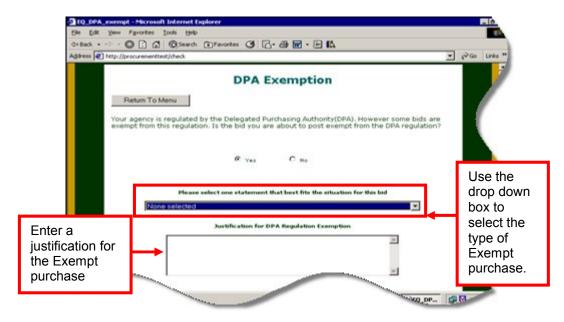
- supported by state funds; also services
- Livestock for slaughter and perishable articles, such as fresh vegetables, fresh meat, fish and oysters, butter, eggs, poultry and milk
- Emergency supplies of drugs, chemicals and sundries, dental supplies and equipment
- Personal Employment Services: Only those services rendered by a person who works full-time or part-time for and under the control of the state and receive compensation as a salary in direct payment from a department, agency or institution of state government.
- Department of Community Health for the purchase of health insurance for state employees and public school teachers under the State Health Benefit Plan
- State Personnel Administration for the purchase of flexible benefits for State of Georgia Employees
- Office of Treasury with respect to investments and investment related services
- Hatch and Smith Lever Act purchases Agricultural purchases from land
- Specified Professional services, which are limited to those services which are defined by a statute as a "profession" or "professional service". The following services are statutorily defined as "professions" or "professional services": certified public accountancy, actuarial services, architecture, landscape architecture, interior design, licensed or accredited appraisers or licensed or accredited financial analysts providing opinions of value, chiropractic, dentistry, professional engineering, podiatry, pharmacy, veterinary medicine, registered professional nursing, harbor piloting, land surveying, law, Psychology, medicine and surgery, optometry, and osteopathy.
- Other approved exempt purchases

Posting an Exempt eQuote for State Agencies, Colleges, Universities and Technical Schools

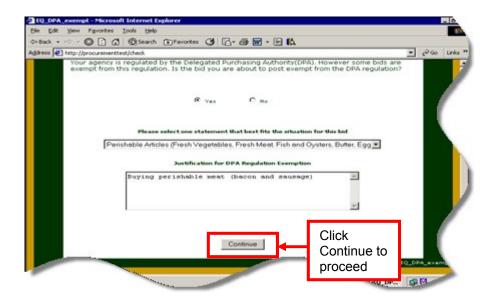
The following screen appears for an Exempt purchase after clicking Post New eQuote. For an Exempt purchase, Click Yes (note that the default is No).



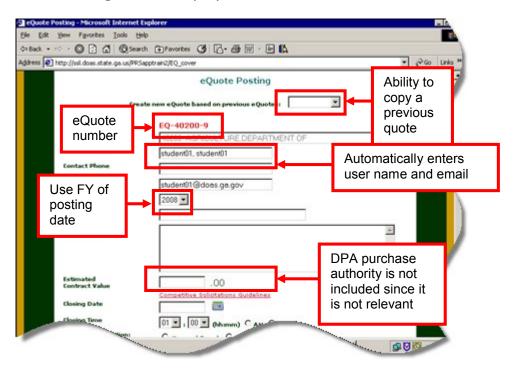
2 The following DPA Exemption screen displays.



3 The following screen shows an example of a justification.



4 The following screen displays first.



The steps for the remainder of the eQuote posting are identical to those for eQuotes of less than \$100,000 with the exception of the amount of time the eQuote is posted, which is determined by the purchasing agent.



There is no NOIA or NOA posting requirements for

eQuotes \$100,000 and above.

Posting a Non-Exempt eQuote for State Agencies, Colleges, Universities and Technical Schools

When posting an eQuote that has no exemption, the purchasing agent needs to consider three factors:

- 1 The amount of time the eQuote will remain open.
- Whether or not the eQuote is above or below that agency's Delegated Purchasing Authority (DPA).
- 3 If the eQuote is for \$100,000 and above.

Determining the Length of Time to Post an eQuote—the eQuote will remain Open

Any time you include a pre-bid conference as part of the eQuote, you must include an additional time of five (5) business days between the date of the pre-bid conference and date of the eQuote closing. For other posting time decisions, the next chart provides assistance.

In selecting the appropriate posting period, consider the complexity of the solicitation and an appropriate period of time for a supplier to review the solicitation, ask questions, and prepare a sufficient response.

If you decide to post an eQuote for less than the minimum posting period, you must first submit a written request with detailed justification for such shorter posting period and receive written approval from SPD prior to proceeding with the shorter posting period.

If approved, keep the written approval and justification as part of the procurement file.

Type of	Minimum	Rationale

Purchase	Posting Time	
Sole Source Solicitation	3 business days on GPR only	Cannot use eQuote
Solicitations valued from \$0 to \$9,999.99	eQuote post minimum of three (3) business days; recommend for three (3)	Recommended minimum; must receive written approval from SPD for less than minimum
Solicitations from \$10,000.00- \$49,999.99	business days eQuote post minimum of seven (7) calendar days; recommend for ten (10) calendar days	Recommended minimum- must be justified; must receive written approval from SPD for less than minimum
Solicitations from \$50,000.00- \$99,999.99	eQuote post minimum of eight (8) calendar days; recommend for fifteen (15) calendar days	Recommended minimum- must be justified; must receive written approval from SPD for less than minimum
Solicitations from \$100,000.00- \$249,999.99	eQuote post minimum of ten (10) calendar days; recommend for twenty (20) calendar days	Recommended minimum- must be justified; must receive written approval from SPD for less than minimum
Any solicitation valued at \$250,000 and above	eQuote posting minimum of fifteen (15) calendar days; recommended for thirty (30) calendar days	Required number of days (mandated by law); no approval for less than minimum

eQuotes Posted Above the DPA (example of this is provided

later in the manual)

As soon as the purchasing agent anticipates posting an eQuote that will be above the agency's DPA, he/she must send the One-Time Request to Exceed DPA Form to SPD. You can find this form on the SPD website under the Operational Forms.

After completing the form and sending it to SPD, the appropriate SPD Group Manager will determine whether to handle the eQuote solely or conditionally by the agency or by SPD. The purchasing agent then, receives an email with this information. If SPD authorizes the agency to handle the eQuote, the purchasing agent then proceeds with the posting of the eQuote and indicates in the Justification box that "SPD has given authority to the agency" as well as the authorization number provided.

If you do not submit the One-Time Request to Exceed DPA Form before posting the eQuote, eQuote will ask for the justification and will remind the purchasing agent to submit the form. Although the same process occurs by submitting the form at this time, doing so delays the posting and awarding of the eQuote.

If you post an eQuote at an amount below the agency's DPA but, the award is above the agency's DPA, the purchasing agent must submit the request form to SPD *prior to making the award* and obtain approval to proceed with the award.

Posting eQuotes Over \$100,000

When posting and/or awarding an eQuote over \$100,000, you most post a notice of Intent to Award (NOIA) on the eQuote as an attachment prior to the final award.

When you do this, eQuote sends an NOIA announcement to responding suppliers and provides a calendar count-down of the ten (10) day time period after which the award can be posted. Suppliers participating in the eQuote will receive the NOIA email announcement and then the subsequent award notification.

At the end of the NOIA ten-day period, if there are no protests of the eQuote, you are required to then post the NOA attachment on the eQuote. The NOA must include:

- the award amount
- what was purchased

- the awarded supplier
- the non-awarded supplier(s),
- · the reason why a supplier did not receive the award

Adding Additional Terms and Conditions

Because eQuote's Terms and Conditions are very general, it might be necessary to add more specific terms and conditions or an agency contract to the eQuote.

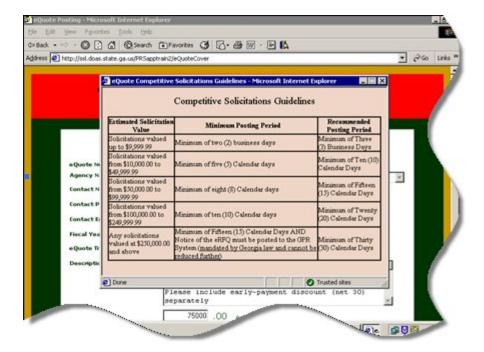
The supplier must agree to the Standard Terms and Conditions included in the state's eQuote, and additional terms and both sides must sign the conditions. The purchasing agent should include the ability for the supplier to submit exceptions to those with the eQuote response. The purchasing agent can approve and incorporate exceptions to your contract or Terms and Conditions into the final eQuote award.

For non-state governmental entities, add terms and conditions specific to your entity to the eQuote.

Completing the eQuote Header

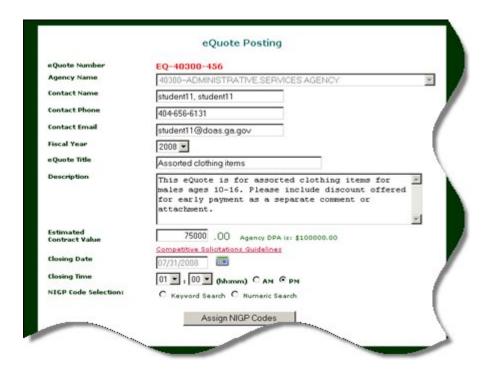
The eQuote contains two distinct sections. First, complete the Header section:

- 1 Type in your phone number
- 2 Provide an easily-recognizable title for the eQuote
- Include a summary description of the eQuote. If you would like the supplier to submit discount information for early payment (net 30), this is a good place to include that.
- 4 Type in the estimated amount of the eQuote. The supplier is not able to see this estimated amount.
- 5 Select a date for the eQuote to close. The screen includes a chart containing the posting solicitation guidelines.



- 6 Use the calendar to select the date the eQuote will close. Only dates in black are available. Once you click on the date, it populates in the eQuote field reserved for that.
- Also select a time for the eQuote to close. The time must be between 8:00 am and 5:00 pm, and remember to indicate AM or PM.

This example displays the first part of the Header section completed.



Assigning NIGP Codes to the eQuote

You select and assign NIGP Codes at the Header level. There is no limit to the number of 5-digit NIGP Codes that you can assign to an eQuote.

You can assign NIGP Codes to your eQuote using the following methods:

- Using the keyword search technique
- Using the numeric search technique

Assigning NIGP Codes Using the Keyword Search Technique

To assign NIGP Codes when you do not know the NIGP Codes number, use the Keyword Search.

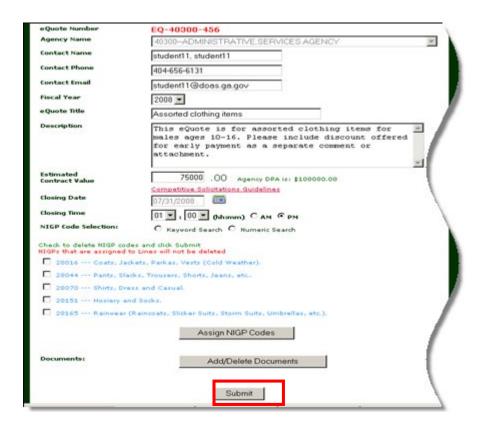
1 Make sure to activate the Keyword Search button. Then type in the word or words describing the purchase. This example uses *pants* for the search.



2 The following is the result of the search using the keyword *pants*.

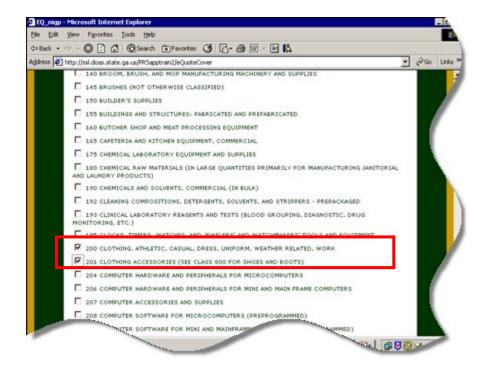


- At this point, select the NIGP Code 20044. Using the same method, select shirts (20077), socks (20151). eQuote inserts the selected NIGP Codes into the Header section. Review the following screen.
- 4 Once the NIGP codes are correct and complete, click Submit.

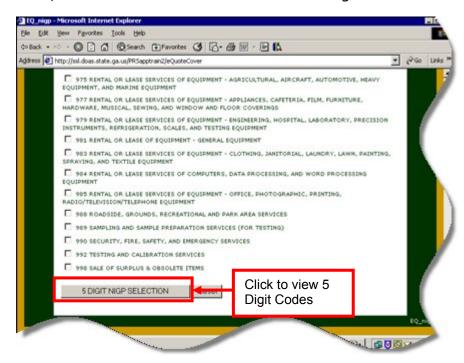


Assigning NIGP Codes Using the Numeric Search Technique

If you know the NIGP Code(s), use the numeric search. Make sure to select the Numeric Search button. The first screen shows 3-Digit NIGP Codes and is selected first. This example shows the purchase of clothing and clothing accessories. Therefore, search and select the 200 and 201 codes.

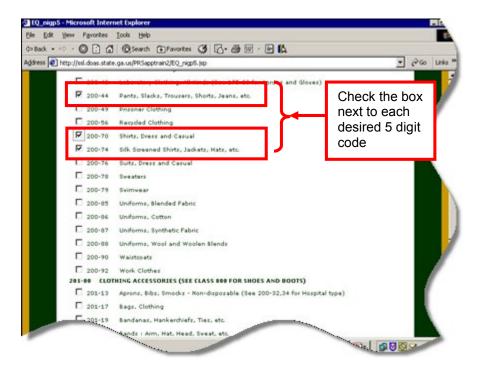


2 Next, scroll to the bottom to obtain the 5 Digit Codes:



3 Scroll to the bottom of the screen to assign the codes and submit as the Keyword Search technique previously described.

Deleting NIGP Codes



1 To delete an NIGP Code simply check that box next to the code and click Submit.

eQuote will ask to verify that you would like to delete the selected code(s).

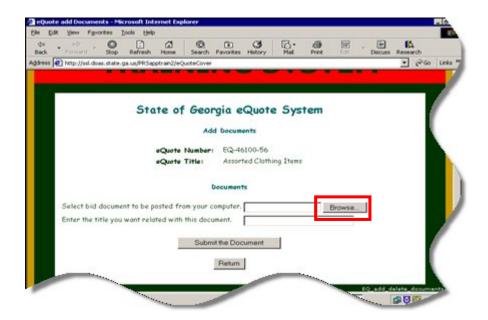
Adding Documents to the Header

You can add an unlimited number and types of documents to the Header section of the eQuote with the only limitation being that the documents cannot exceed 10 megabytes.

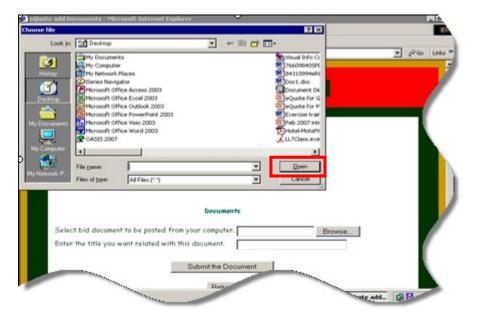
Do not add documents that include an RFQ number. The eQuote number replaces the RFQ number.

A good way to include additional Terms and Conditions or an agency contract is by using the Add a Document feature.

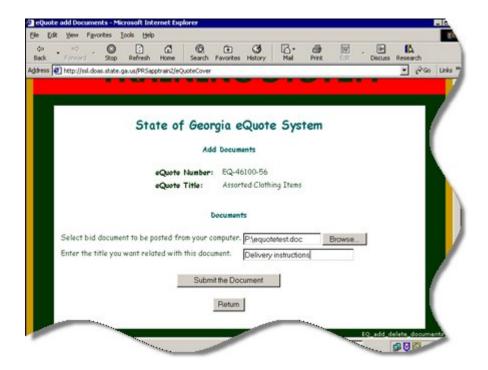
To add a document, click the button Add/Delete Documents. The following screen appears.



When you click browse the following screen appears. This enables you to select the document or file you wish to add to the Header section of the eQuote. Find and select your document and click Open.

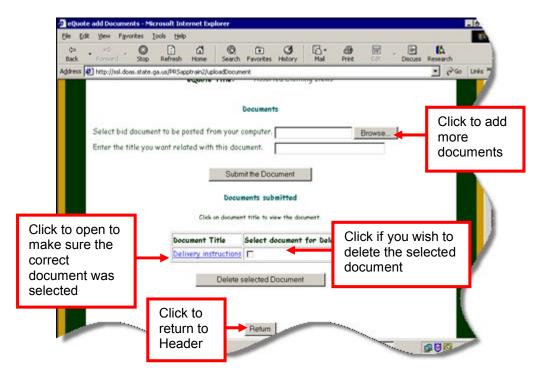


eQuote uploads the selected document.

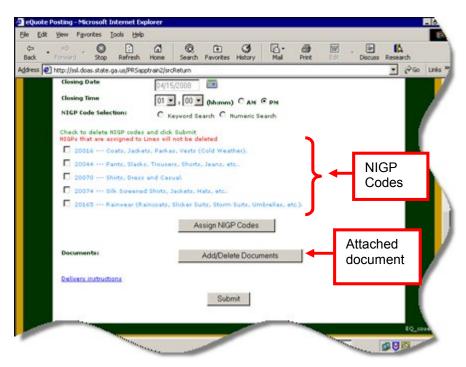


3 Name the document and click Submit.

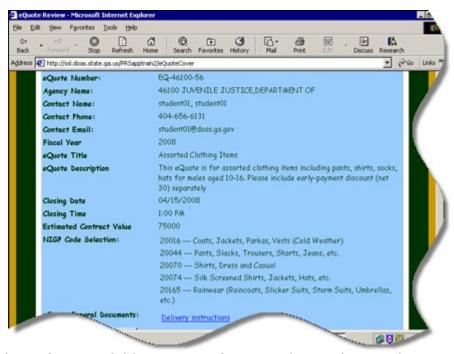
Do not use any special characters such as * or # when naming the document.



4 Once you click Return, the following screen appears showing the assigned NIGP Codes and the attached document.



5 Click Submit and return to the Header now in blue with NIGP Codes and attached document(s) displayed.



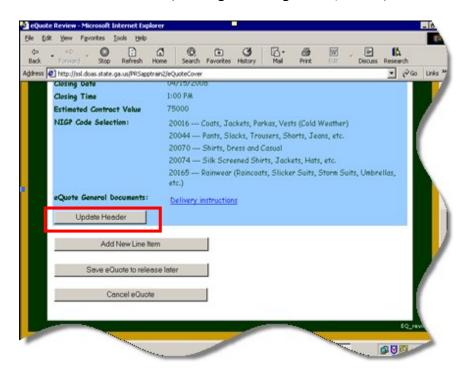
You have four available options after completing the Header:

Update the Header Save the eQuote and release it later Cancel the eQuote Proceed to the line section of the eQuote and adding lines

The following sections review how to complete these steps.

Updating the Header

With any eQuote, simply click Update Header to update the header at anytime. Doing so brings you back to the working section of the header and enable you to add or delete NIGP Codes, add documents to the Header, change closing dates/times, etc.



Saving eQuote to Release Later

You can save an eQuote and retrieve it later for up to 30 calendar days.

1 To save an eQuote, click Save eQuote to Release Later. The following screen appears.



To return to the saved eQuote, return to the eQuote menu and click Review and Maintenance of eQuote and the following screen appears.



3 Notice that the status selection defaults to Open. Click on Saved eQuotes and then click Next.



4 Find the correct Saved eQuote and click on the desired eQuote. At this point, you can work on the selected eQuote.



At this point, you have the choice to:

- Update the header
- Cancel the eQuote
- Add lines

Save and release later

Canceling an eQuote

Anytime you decide or need to cancel an eQuote you *MUST* provide a reason. If the eQuote has already been, the suppliers receive an email informing them that the eQuote has been cancelled. However, the email will not provide the reason for the cancellation.

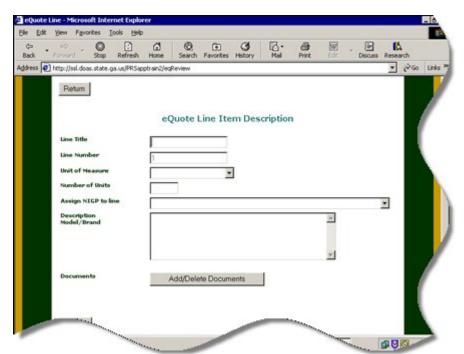
Simply writing Cancel is not a valid or acceptable reason.

If you do not receive any bid responses by closing and award time, the eQuote will be Closed instead of Cancelled.

Adding Lines to the eQuote

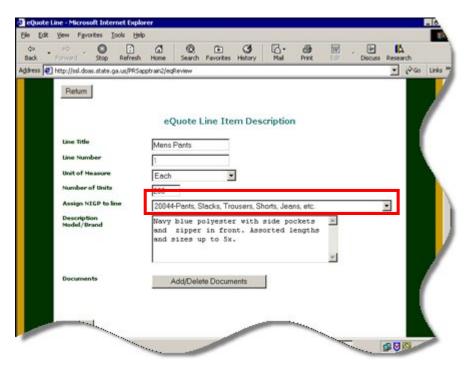
You can add unlimited lines to any eQuote with each line being added separately.

1 To add lines click Add New Line Item. The following screen appears.



This example shows Department of Juvenile Justice creating an

eQuote. This example shows that for Line 1, the purchasing agent wants to buy 200 men's pants, navy blue polyester with side pockets and a zipper in the front. The eQuote reflects assorted lengths and sizes up to 5x.



2 To select the NIGP Code, click on the drop-down box and choose the one that corresponded to this line.



You must select one NIGP Code per line.

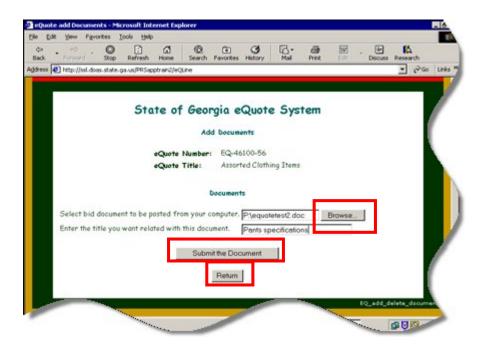


Adding a Document to a Line

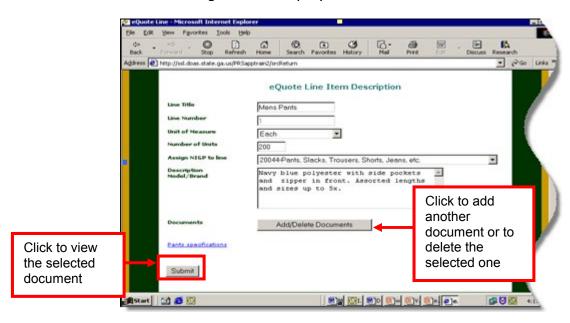
You can add documents to the Lines the same way you add them to the Header. There is no limit to the number of documents that you can add to a line. Maximum size of the file must not exceed 10mg

This example shows adding a document to the line that has the specifications for the navy pants.

- 1 Click Add/Delete Documents.
- 2 Select the document from your computer and enter a title for the document.
- 3 Click to Submit the document and then click to Return.



The following screen displays.



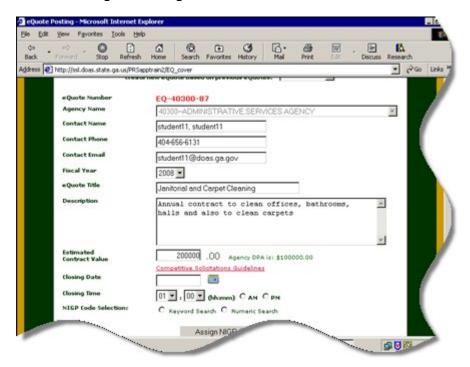
4 By clicking the Submit button, you return to the blue Header—now with Line 1 inserted.

Posting a Non-Exempt eQuote Above a State Agency's DPA

When planning to post an eQuote that is above the DPA, you must submit the One-Time Request to Exceed DPA form to SPD prior to posting the eQuote. SPD will decide to approve the request, approve the request with one or more conditions, or deny the request. SPD will then assign the request a unique number. If SPD approves the request or approves the request conditionally, the purchasing agent simply includes the approval number in the justification field.

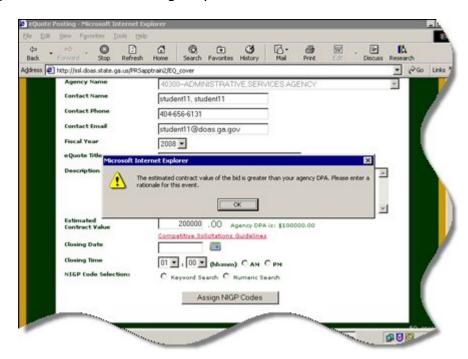
If you post the eQuote without submitting the One-Time Request to Exceed DPA form, you will have to begin the process of entering the eQuote and then wait for SPD's response.

The following screens provide an example of an eQuote above DPA when the One-Time Request to Exceed DPA form has been previously submitted and the request has been approved. In this example, the agency is purchasing Janitorial and Carpet Cleaning services for a large building.

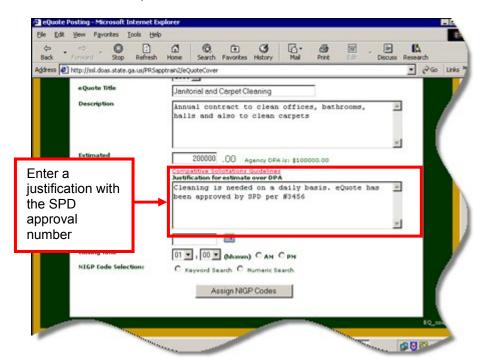


When the purchasing agent attempt to click a closing date the

following appears stating that a rationale is needed to justify the eQuote that is over the agency's DPA.



After clicking OK a box appears to allow the user to enter the justification for the purchase.

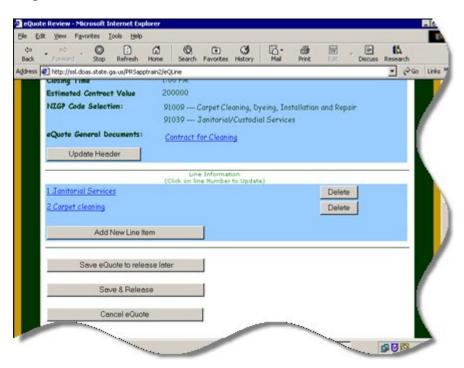


The eQuote Header is completed with the NIGP Codes and

document added.



Line 1 added for Janitorial Services followed by Line 2 for Carpet Cleaning.

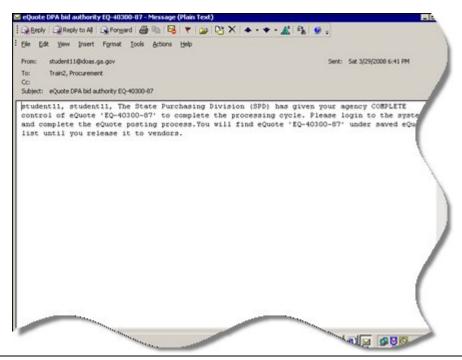


When the attempt is made to release the eQuote, the following appears telling the purchasing agent that SPD has been notified of

the eQuote and to submit the One Time Request to Exceed DPA Form. Since the form has already been submitted, you do not have to complete the step.



SPD completes the process and you receive an email confirming the approval to proceed with the eQuote.



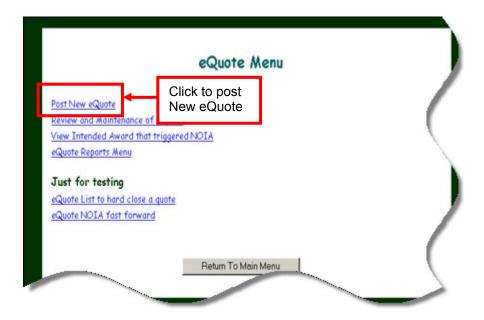
In the case that SPD gives a conditional authorization, the conditional authorization most likely will be that SPD be contacted before posting the NOIA or awarding the eQuote, but other conditions are also possible.

After receiving the email confirmation, return to the eQuote menu. You can find the eQuote as a Saved eQuote. You can now release it to the suppliers.

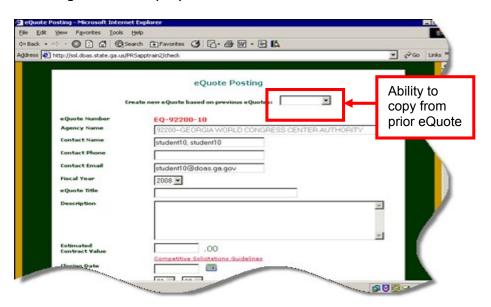
You can make any changes to an eQuote. However, you cannot change the amount of the eQuote. A change in the amount requires you to re-submit the request to SPD for approval.

Posting a New eQuote by Other State Government Entities

State governmental entities that are not bound by SPD's rules and policies, including state authorities and those working for the legislative and judicial branches of government, use eQuote in an Exempt manner—in the same way that a State agency would post an Exempt purchase. The following is an example.



The following screen displays.



The steps for the remainder of the eQuote posting are identical to those for eQuotes posted by State agencies.

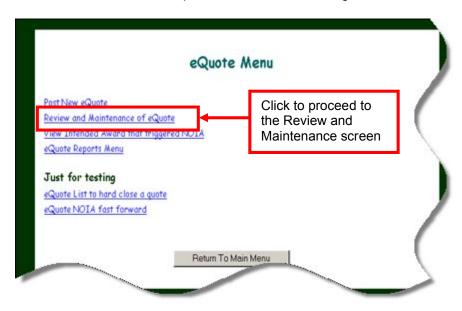
There are no NOIA or NOA posting requirements for eQuotes \$100,000 and above.

Evaluating an eQuote

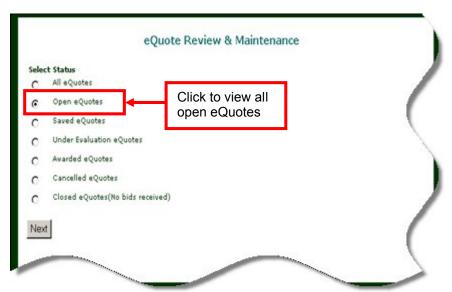
Once you have posted the eQuote, you should monitor the eQuote and supplier responses by using the Review and Maintenance of eQuote function.

Review and Maintenance of an Open eQuote

1 To access this function, return to the first eQuote menu.



2. Then, click to view all open eQuotes.



3 Select the eQuote you want to review.

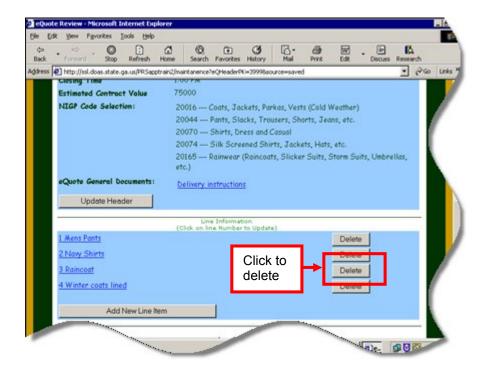


4 Select the desired eQuote.

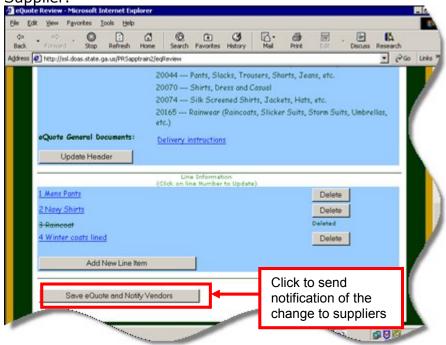


The following options are available when working with an open eQuote:

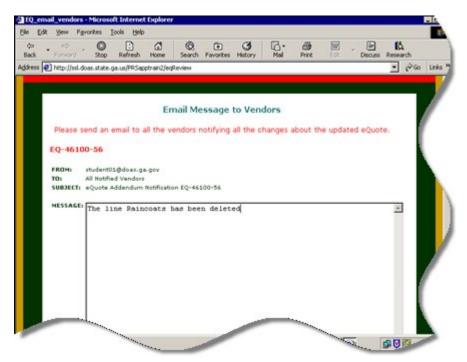
- View the eQuote— i.e. for accuracy
- Edit the eQuote— i.e. to extend the closing date or add an addenda
- Add a supplier not previously selected or notified of the eQuote opportunity
- View responses— to see which suppliers have responded
- Email all suppliers who received notice of the eQuote— to clarify an issue with the eQuote or send a notice
- Resend the email notice to a supplier who did not receive it the first time or who accidentally deleted it
- Cancel the eQuote
- 1 To edit an Open eQuote, click on the eQuote to be edited and make the necessary edits.
- In the example of buying clothing for the Department of Juvenile Justice, the decision is made to delete the raincoats. Find the line with the description and click the delete button.



3 Notice the line was deleted. Click Save eQuote and Notify Supplier.



4 The eQuote system forces the purchasing agent to send an email explaining the change. Enter a message for the email.



5 After submitting the email, the following screen appears confirming that the email has been sent.



Viewing Bid Responses

You can view bid responses that have been submitted to the eQuote thus far. However, the amount of the bid response is not available for viewing until the eQuote closes. This very helpful feature allows the purchasing agent to make the decision to add more suppliers to the supplier list if there are too few bid responses or no bid responses at all.

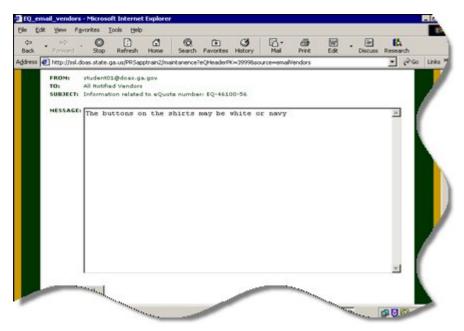
To view suppliers that have responded to the eQuote solicitation, click on View Bid Responses. The following screen displays the bid responses received from suppliers.



Emailing Suppliers

You can send an email to all suppliers who have received the first notification. You may do this to clarify a part of the eQuote.

In this example, an email is sent to all suppliers to clarify that the buttons on the shirts may be white or navy. Click on Email Suppliers, and a message compose box displays.



2 After typing in the message, click Send Email to submit.

Adding Suppliers

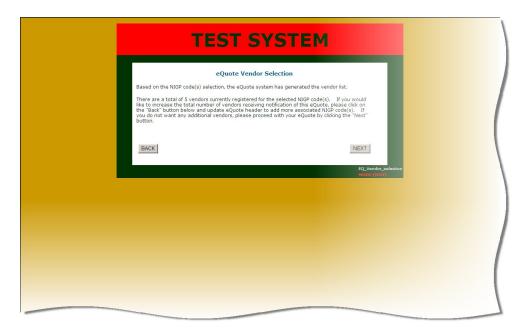
With eQuote, you select suppliers in three ways:

- System generated: where the system selects all suppliers registered with the NIGP codes listed in the solicitation
- Add Registered Vendors: This option is available to select suppliers who may already be registered but may not have registered using the NIGP codes used in the solicitation
- By email: Using this option, you have the ability to notify suppliers who have not registered as to the availability of the eQuote

Adding System Generated Suppliers

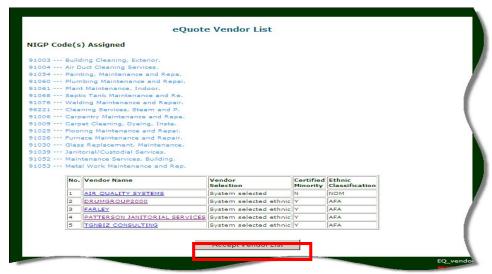
The system will select all the suppliers who have registered with Team Georgia Market Place (TGMP) using at least one of the NIGP Codes selected for the eQuote.

1. When you click Save and Release the following appears:

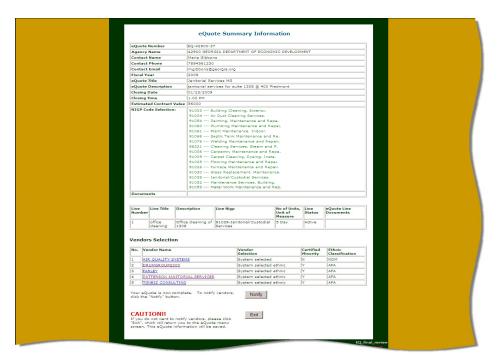


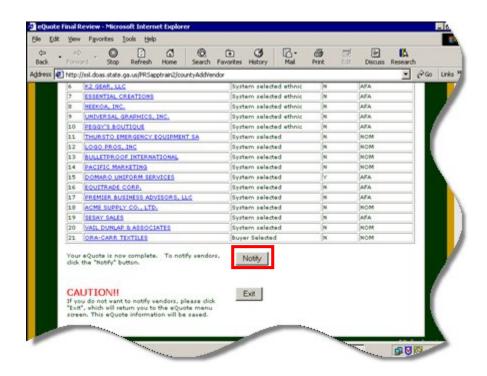
eQuote informs the Purchasing Agent how many suppliers will be notified of the eQuote posting as well as give them the option to add more suppliers by using the BACK button to add more NIGP codes to notify additional suppliers.

Once you click the Next button, the eQuote selects suppliers based on the NIGP code selection.

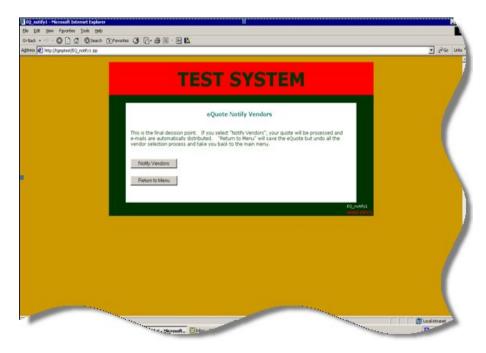


Once the list is generated click the **Accept Vendor List** button. The below screen displays.



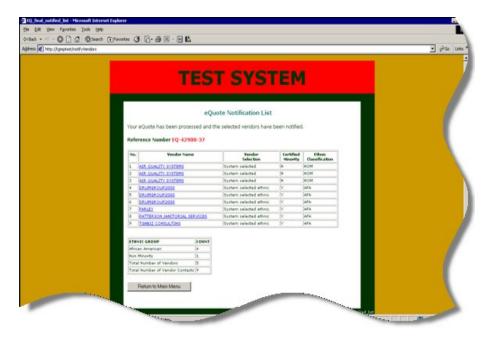


Once you are ready to post the eQuote to the selected suppliers, click Notify then click Notify Vendors.



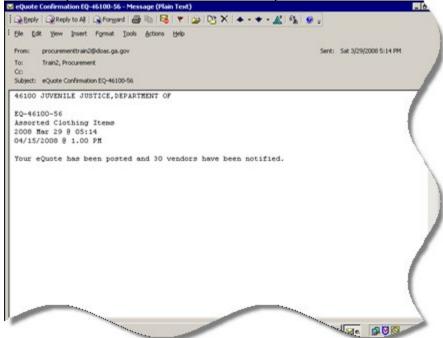
A screen displays with a message indicating that the suppliers have been notified along with a list of all notified suppliers. Because suppliers often register with one or more additional contacts, all contacts associated with that supplier's business are

on the list. For this reason, it is not uncommon to find more than the number of suppliers selected on the list and some suppliers listed more than once.



Scroll to the bottom and click Return to Main Menu. eQuote sends you an email confirming the posting of the eQuote. The following

is a sample email similar to the one you receive.



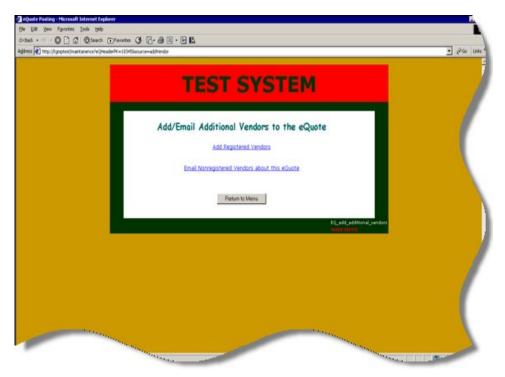
Adding Suppliers Not Originally Notified

The Add Vendors option enables you to add additional suppliers to the selected supplier list. Any supplier you add using this function will receive and email invitation to respond to the eQuote and will receive a one-time User ID and password.

You have two methods to add suppliers while the eQuote is open.

- The first is for those suppliers who are registered through Team Georgia Market Place but are not registered with the NIGP codes used for the eQuote. You may add a registered supplier who will then be notified via email regarding the bid opportunity.
- The second way to add a supplier while the eQuote is still open is for suppliers not registered to register through Team Georgia Market Place and have the notification of the eQuote sent to themselves as part of the registration.

When you click on Add Vendors, this screen displays to provide you with the choice to add registered or send an email to nonregistered suppliers to your eQuote.



Adding a Registered Supplier

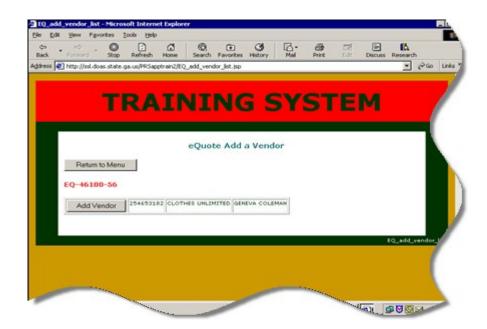
1 To add a registered supplier, click Add Registered Vendors. This screen displays to allow you to search for suppliers.



- 2 Enter at least one word of the name of the company in the space provided.
- 3 Click Search.



4 A list of all companies with that search phrase displays. Select the supplier to add and click Add Vendor. A second screen displays to allow you to click again to add that supplier.



You might consider searching Team Georgia Market Place first before adding a registered supplier just to:

- Ensure the supplier you want to add is in the system.
- The supplier is active.
- The contact information you have is correct.

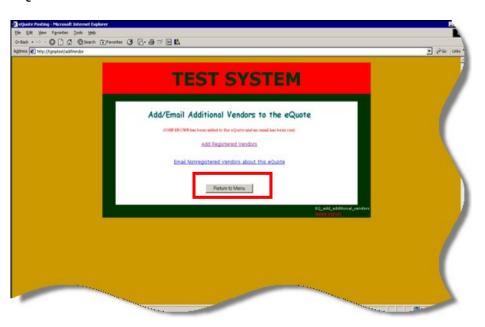


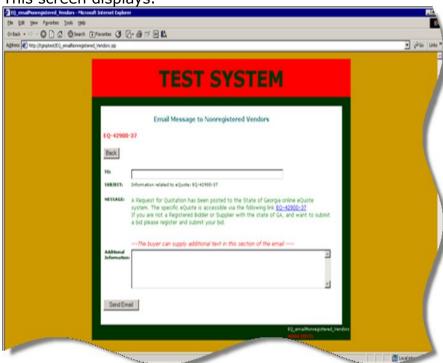
A final screen confirms that the supplier has been added, and an

email notification about the eQuote opportunity has been sent to the added supplier.

Adding a Non-registered Supplier

1 To add a supplier that is not registered through Team Georgia Market Place, click Email Nonregistered Vendors about the eQuote.





This screen displays.

- 2 Type in the email address of the contact person and any additional information in the Additional Information field.
- 3 Click Send Email
- 4 eQuote provides the opportunity to email additional Suppliers. Once you have added all suppliers, click the back button.

Canceling an eQuote

You can cancel an eQuote if necessary. However, you must provide a cancellation reason. Simply entering *Cancelled* is not an acceptable justification.

1 When you click Cancel eQuote, the following screen appears.



All suppliers who received the invitation to participate (including added suppliers) receive an email stating that the eQuote has been cancelled. The email does not include a reason for the cancellation. However, eQuote saves the comments entered in the cancelled eQuotes for future reference and for audit and legal purposes.

Viewing a Cancelled eQuote

You can view a cancelled eQuote using the Review and Maintenance Menu.



- 1 Click Next and the list of cancelled eQuotes will appear.
- 2 Select the eQuote you are interested in and the following options display.



This function is very useful for those auditing eQuote and also helpful in deciding whether or not to re-post the eQuote.

Resending a Notice to Suppliers

You can use the Resend Notice function for a number of reasons:

- To resend the eQuote email invitation to a supplier who initially decided not to respond to the eQuote and deleted the email invitation.
- To resend the eQuote email invitation to a supplier who
 responded to the eQuote invitation and then deleted the
 email but now needs to go back into the response to edit or
 to withdraw the bid response.
- To resend the eQuote email invitation to a supplier whose computer firewall prevented the email invitation from coming through.
- To resend the eQuote invitation to a supplier who did not get the first email due to a change in email address but who has gone back into Team Georgia Market Place and updated the email address.
- To send the eQuote invitation to a contact that has been added or whose information has been amended.

Follow these steps to resend a notice to suppliers:

1 Click on the Resend Notice button and a list of all suppliers who have already received email notices appears. Select the supplier or suppliers who are to receive the second (renotification) email.

You should confirm with the supplier that the email address on the supplier list has not changed. If it has changed, the supplier must go to Team Georgia Market Place and update the email address before you resend the eQuote notice.



2 Scroll to the bottom and click Verify Vendor Contacts. This displays the following screen. Select the supplier to whom you want to resend the eQuote.

3 Click the Resend Notification button.



4 If you have more than one contact listed, select the contact to whom you want to send the email.



This screen displays confirming that a second email has been sent to the appropriate supplier contact.



Copying an eQuote and Creating a Template

With eQuote, you can copy eQuotes that you create for a solicitation and use for a different solicitation. In addition, you can create a template for those purchases that you make on a regular basis.

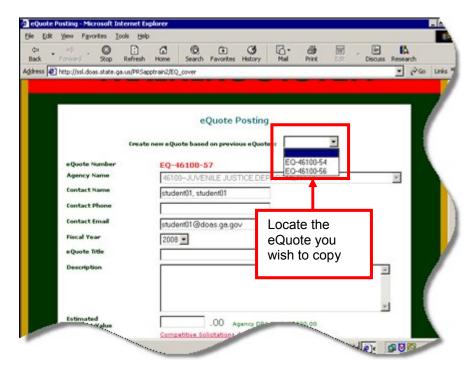
Copying an eQuote

Once an eQuote has been created, you can copy it to use for other eQuotes.

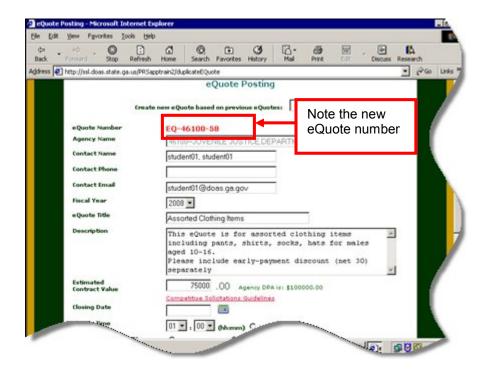
To copy an eQuote, return to the eQuote menu and click Post New eQuote. If applicable, determine if the eQuote is Exempt or Non-exempt.



When the eQuote screen displays, click on the drop-down box at the top right to locate all previous eQuotes.



Once you find the eQuote you want to copy, select the eQuote and all of the information is filled into the previously blank eQuote areas.



It is important to note that before you can post the new eQuote, you must complete the following:

- Add a new closing date
- Make any relevant corrections (such as changes in NIGP Codes or descriptions, pre-bid information, etc.)
- Add all documents at the Header level and at the Line level as the new eQuote does not copy any documents.

Creating a Template

72

By using the Copy eQuote function, you can create a Template for those similar purchases that you make periodically throughout the year.

This function does not replace the use of an Agency Contract when the same purchase is made periodically throughout the year. Instead, it is useful when purchases have many of the same elements, but change by actual amount ordered or even by specific items being ordered.

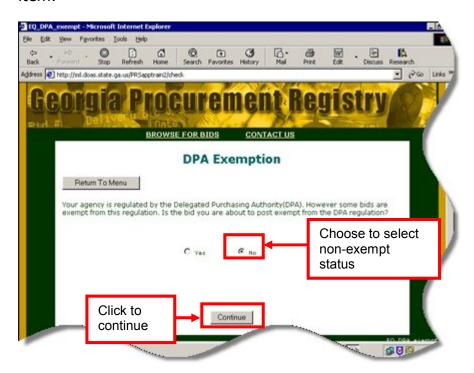
The next section provides an example of the use of this function. In this example, the Department of Juvenile Justice orders non-

perishable food items every quarter. However, the agency orders non-perishable food items every quarter. The actual items purchased and the amounts vary from quarter to quarter. The possible total number of items that could be purchased each quarter is over 100, and each quarter the actual amount of each item purchased varies.

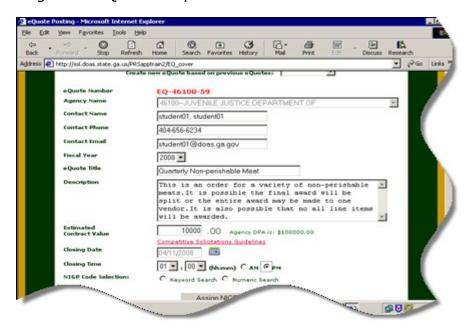
To complete this purchase, the agency would create a template to be used for purchasing non-perishable meat items. 1 To create a template, start by creating a new eQuote.



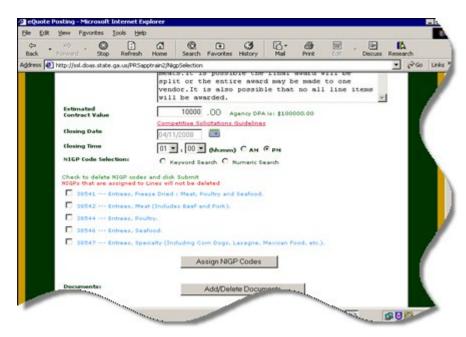
2 This is a non-exempt purchase since it is a non-perishable item.



The description indicates that the order may or may not be split and that it is possible that not all line items will be awarded. This is important because it is a better idea to not award a line or lines of a templated eQuote than to delete lines that are not being used. However, each option is possible, and it is up to the purchasing agent to determine which is better for each purchase. The following is the eQuote template created.



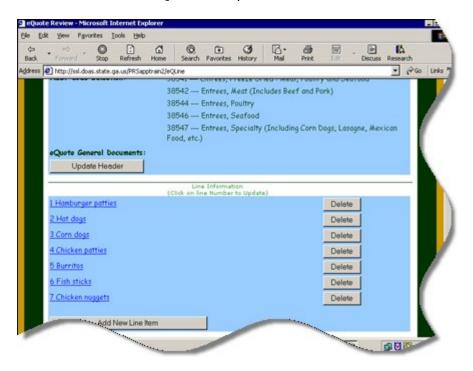
Adding NIGP Codes is critical to the usefulness of the template. In this example, the eQuote template includes the NIGP Codes for all meats that may be purchased during the year.





Then, the next step is to add the Line items.

This screen shows the eQuote template with lines added.



The template is now ready for use. You can retrieve it by using the

Copy function or you can save it if you will use it in the next 30 calendar days.

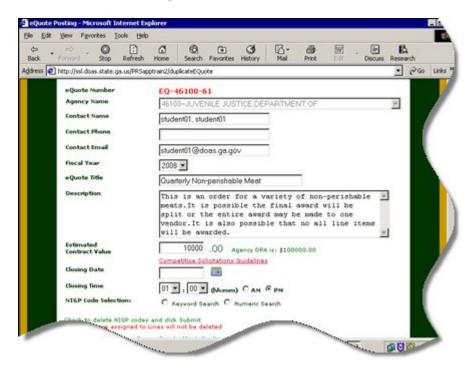
In the above example, the purchasing agent is actually using the template for the first time to make the quarterly frozen meat purchase.

Using an eQuote Template

To use a template you must find the eQuote you originally used to create the template and select that eQuote as the example below.



1 As in this example, you retreive the eQuote template and load it into a new eQuote.



- 2 Decide what needs to be changed with this new purchase and determine a new closing date for the new eQuote. Add all other attached documents.
- 3 Assume for this eQuote that only 25 cases of Corn Dogs instead of the 50 cases as originally placed on the template will be purchased. Therefore, click on that line and change the order for Corn Dogs from 50 to 25.

Evaluating and Awarding an eQuote

After the eQuote closes, the purchasing agent can evaluate the bid responses and then make an eQuote award.

Suppliers may go to the public side of the GPR and use the automated system to open and read all eQuote bids.

Points to consider when evaluating bid responses and before making an award include:

- **Responsiveness** does the supplier provide all as required in the solicitation?
- Responsibility— does the supplier have the capability to perform the contract requirements and the integrity and reliability which will assure good faith performance (Model Procurement Code)?
- **Reciprocal Preference** is the lowest bidder from a state that gives preference to its suppliers?
- **Splitting an award** is it in the best interest of the organization to split the bid?
- Discounts— is the supplier offering a discount for early payment?

Evaluating the Responses

1 To evaluate an eQuote, return to Review and Maintenance of eQuote on the eQuote Menu.





This screen displays a listing of all of the eQuotes that have closed and are ready for evaluating and award.



2 Click on the eQuote you are ready to evaluate and award. The following screen appears.



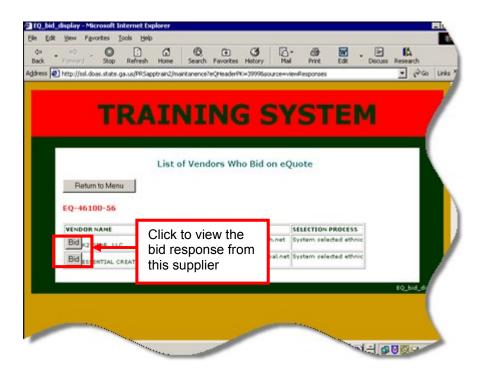
When in the Under Evaluation status you can:

- View the eQuote
- Edit— the only editing you can do is to add documents
- View the Bid Responses— with the supplier and the pricing offered
- Cancel the eQuote
- Award the eQuote
- Export the Responses to an Excel spreadsheet—for documentation, posting, and open records

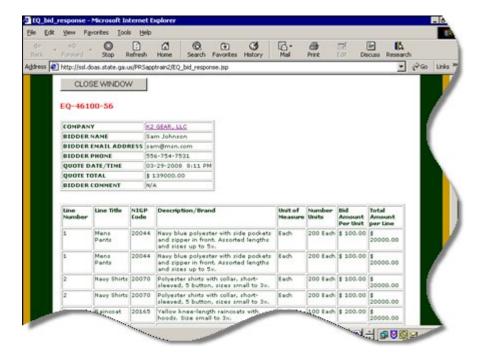
Viewing Bid Responses

This function allows you to view the bid responses of all responding suppliers.

- 1 To view an eQuote, click on View eQuote.
- 2 Once the screen with all bidders displays, click on the Bid button to view a supplier's response.



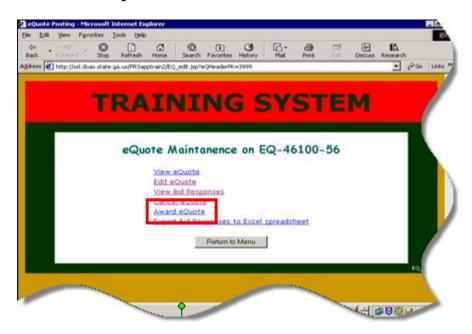
3 Review supplier's bid responses.



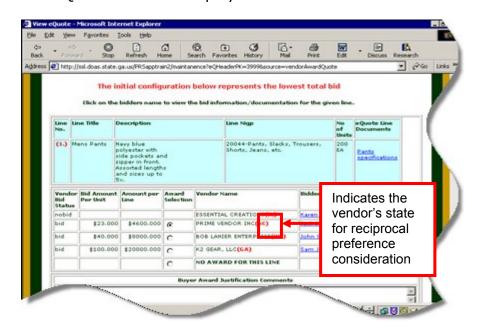
Making the Award for eQuotes Less Than \$100,000

To make an award for eQuotes less than \$100,000, follow these steps.

1 From the Under Evaluation screen for the selected eQuote, click Award eQuote.



The eQuote bid sheet displays.



The bid sheet displays the bid responses for each line. You

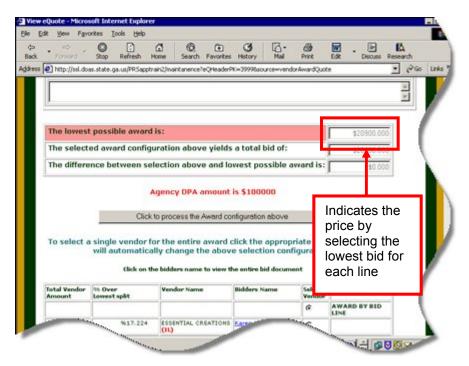
can award each line separately. However, you must provide a justification for each line. The bid responses display from that line's lowest bid to that line's highest bid.

If you decide not to award a particular line, type in "No Award" in the justification field.

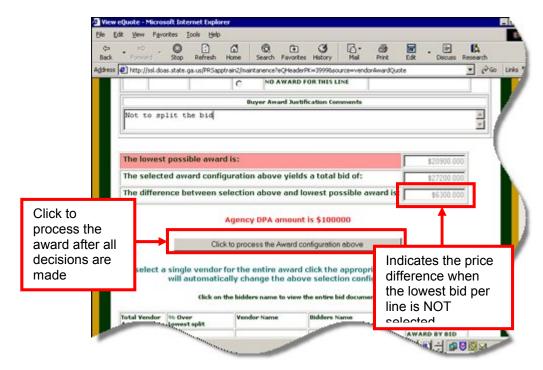
Determining the Best Pricing

eQuote provides you with information as to the amount that you could save by awarding to more than one supplier (splitting the bid) as opposed to making the decision to award to one supplier.

To determine the best price, display the bid sheet. Here you can review the price by selecting the lowest bid for each line.

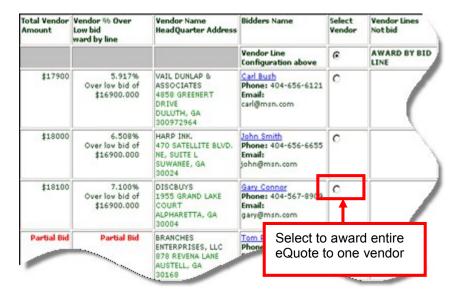


Then, click on Click to Process the Award Configuration Above. Here you can view the price difference.



Awarding to One Vendor

On the same bid sheet, eQuote offers related to the cost of awarding to only one supplier.



If the decision is made NOT to split an award, you should provide justification for this in your documentation and indicate *not to split the award* as the reason in the eQuote justification section.

When a Supplier Offers a Discount

If the supplier offers an early-pay discount you should incorporate that discount amount *up to 5%/Net 30* in the price submitted, but you need to do this "off line" and justify your award in that section.

For example, suppose Supplier A bids \$10,010 with no cash discount, and Supplier B bids \$10,050 with a 5% discount (or \$50) in the event the state makes payment within 30 days. Using the general evaluation rule from the GPM (up to 5% discount for payment within 30 days may be considered for the purposes of evaluation), Supplier B has actually bid \$10,000 (for the purposes of evaluation) and will win the award over Supplier A. If the state does not make payment within 30 days to Supplier B, the state will have to pay a higher price of \$10,050. In other words, based on the expectation to meet the 30 day turnaround for payment of \$10,000, it is a better business decision to contract with Supplier B.

Considering Reciprocal Preference

Although Georgia does not give "preference" to local suppliers, it is important to consider whether or not a supplier who submits a bid response is from a state that *does* give preferential treatment. You do this by adding that preference percentage during the evaluation process to the bid response amount.

You can find information about which states offer a preference to suppliers within their state on the DOAS State Purchasing Resources webpage within the Agency Tools section.



The steps in checking the Reciprocal Preference rule are as follows:

- 1 Determine if the supplier(s) with the lowest bids are from another state other than Georgia.
- If so, go to the Reciprocal Preference section of the website and scroll down to the applicable state(s).
- Review the information associated with the state(s) on the Table, and review the details for the type of purchases that receive preference.
- 4 If the type of purchase matches what you are buying, look at the percentage of preference the respective state provides,

- and add that percentage to the supplier's bid. This is done for evaluation purposes only.
- If this makes that supplier's bid higher than the Georgia supplier's bid, you can award the eQuote to the Georgia supplier. If it does not make that supplier's bid higher, award the eQuote to the other state supplier at the bid price submitted.

Using the Excel Spreadsheet

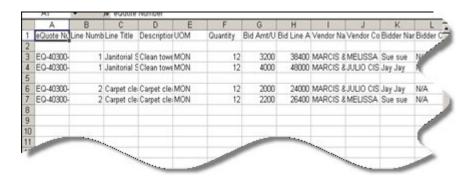
eQuote provides you with the ability to download bid responses to a spreadsheet. This allows you to collaborate with others who might offer input into the award decision.



- 1 To export bid responses to an Excel spreadsheet, find and click on the eQuote you are working on.
- 2 Click on Export Bid Responses to Excel spreadsheet and the following screen appears.

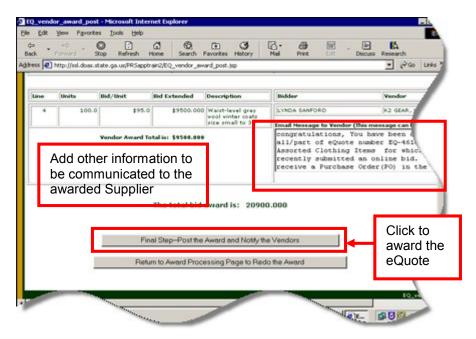


An Excel spreadsheet opens. Copy and save this spreadsheet to your local computer. You should also date the file and perhaps label the columns and or rows with all other requirements of the solicitation. You can also send this file to others—such as to requesting end users—for collaboration or approval of the eQuote decisions to be made.



Awarding an eQuote- The Final Steps

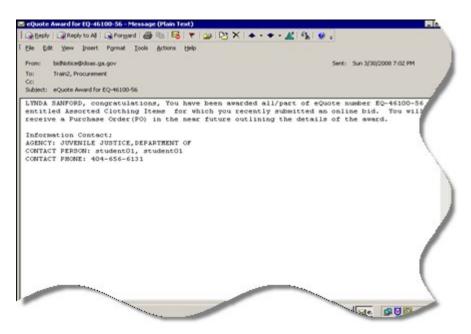
- After determining all the pricing, discounts, reciprocal preference issues, you are ready to make the final decision and process the eQuote award. You do this by clicking the button Click to Process Award Configuration Above. When you click this button, the final screen appears indicating the award decision. You may enter other information you wish to communicate to the awarded supplier.
- 2 Click on Final Step-Post the Award and Notify the Vendors.



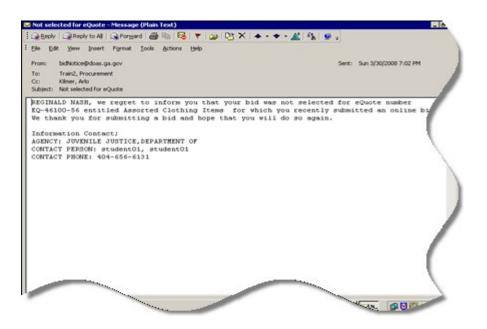
After clicking Final Step, the following screen appears to confirm the award process and the sending of emails notifying the responding suppliers.



This is an example of the email eQuote sends to any supplier who receives all or part of the award.



This is an example of the email eQuote sends to suppliers who did not receive the award.



Attaching the Notice of Award (NOA) Form

You must attach the Notice of Award form to the awarded eQuote. To do this, complete the NOA form for this eQuote and save the completed form.

You can find recommendations for reasons for supplier rejection in this manual's appendix.

The NOA form must include the awarded supplier(s) and the amount of the award(s) as well as those suppliers who did not receive any of the award along with an explanation of why they were not awarded the eQuote.

Remember that you must wait 10 calendar days after you have posted the NOA before executing the purchase.

Refer to the GPM for information as to how best to word this explanation.

1 Use the Edit function within the Awarded eQuote section to attach the NOA to the newly awarded eQuote.



2 Click Next to return to the eQuote you have just awarded.



3 Click on Edit eQuote to display this screen.



4 Click on Add/Delete Header Documents to attach the NOA form. The result looks like the screen below.



You must attach any informal complaints filed as well as the decision regarding the protest at the header level. This allows suppliers to see the reason in case there is a delay in beginning the contract or a re-award due to a valid informal complaint.

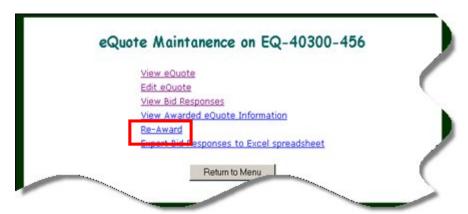
Re-Awarding an eQuote

There might be a situation whereby you need to re-award all or part of an eQuote. Perhaps, the supplier who received the award cannot continue to provide the service or cannot provide the goods purchased. Perhaps, the supplier who received the award is just not performing well, or a re-award might be the result of an upheld informal complaint that leads to the rescinding of the original award and the re-awarding of the eQuote.

After thoroughly documenting the situation, you can then reaward the eQuote to another supplier. To do so, return to the eQuote menu, and click on Awarded eQuotes and proceed to find the eQuote that needs to be re-awarded.



When you click on the eQuote, the following screen appears and click Re-award.



The screen shows the eQuote that was awarded and indicates the awarded suppliers selected at each line.



To re-award any or all of the eQuote, select the supplier to be re-awarded and type the rationale for re-awarding in the justification area.



4 After you click to re-award, the following appears:



Once you complete these steps, complete and attach a Revised NOA with the new award information. Do not delete the original NOA since it is now part of the permanent record.

5 Click Process Re-award so that suppliers are notified by email of the change in the award.

Closing an eQuote Without Any Bid Responses

When an eQuote bid period expires and you are ready to make an award but no suppliers have responded, you must close the eQuote.

1 Find the eQuote to award and click on Award eQuote.



If the eQuote did not have any responses the following screen is displayed.



98

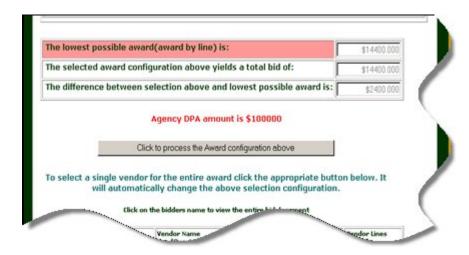
The following appears to indicate that the eQuote status has been changed to Closed. You will be able to copy and re-post this eQuote if you need to in the future.



Awarding an eQuote \$100,000 and Above--for Non-exempt State Purchases

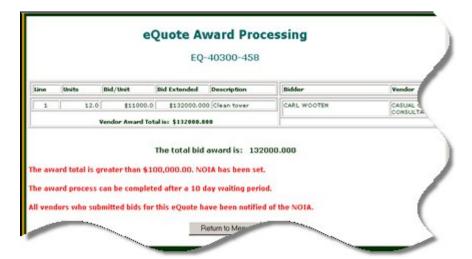
eQuotes \$100,000 and above have the additional requirement involving the completion and posting of a Notice of Intent to Award (NOIA) for a minimum of ten days prior to the final awarding of the eQuote.

As the purchasing agent, you receive an alert to the fact that the eQuote award is over the agency's DPA. This message should also prompt you of the need for an NOIA.

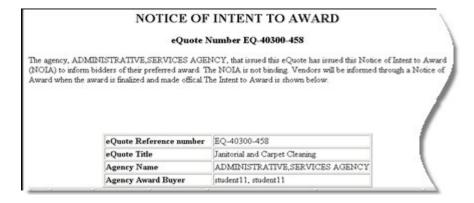


When you attempt to make the award for an eQuote with the intended award of \$100,000 or above, the following screen

appears.



The participating suppliers receive an email informing them of the NOIA similar to this one.

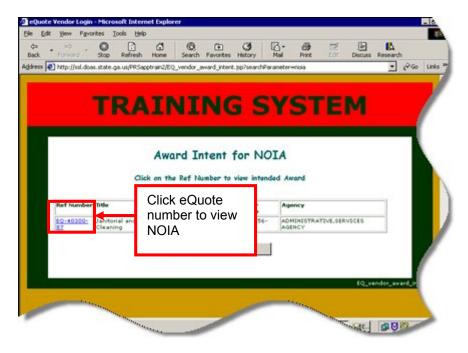


Locating eQuotes Under the NOIA Status

To locate an eQuote that is under NOIA status, return to the eQuote main menu and click View Intended Award That Triggered NOIA.



2 A screen with all eQuotes under NOIA status appears. Click on the desired eQuote number to view it.



Once the NOIA is set and posted, monitor the ten day countdown. To do so, return to the Review and Maintenance menu within the eQuote menu and go to the Under Evaluation section.



4 Clicking on the eQuote displays the following screen.





You cannot award an eQuote while under NOIA status.

Attaching and Posting the NOIA

It is critical that you attach the completed NOIA document to the eQuote. Any supplier who is interested in filing a protest on this eQuote will have to do so within the ten day time period between the posting of the NOIA and the posting of the NOA.

- To accomplish this, complete the NOIA form including the information regarding the intended eQuote award recipients and the information regarding the intended rejected suppliers along with the justification for the rejection.
 - You can find recommendations for supplier rejections in this manual's appendix.
- 2 Save the completed NOIA document to your computer. Using the Edit function located in the Under Evaluation menu,

attach the completed NOIA document to the Header section of the eQuote.





3 Add the NOIA form from your computer.



Remember to attach any protests filed to the eQuote at the Header level.

After the ten day time period, if you have not received a protest or challenge, you are ready to award the eQuote.



4 Proceed with the award.

Do not forget to post the NOA to the eQuote as an attached document.

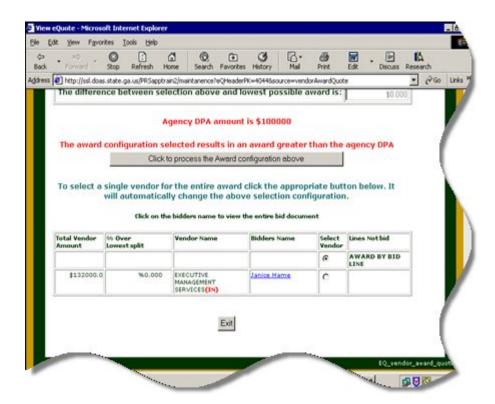


Suppliers receive an sent an email informing them of the award, and the award information is now available on the automated system.

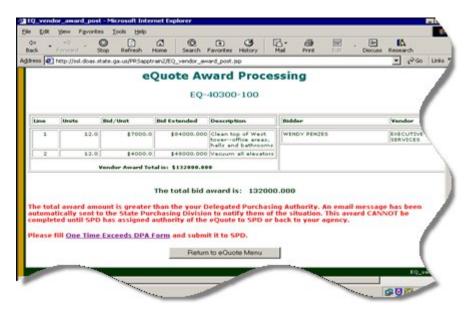


Posting an eQuote for under the DPA, but Awarding the eQuote for an Amount Over DPA

If a situation occurs that the supplier's responses are above the DPA even though the eQuote was posted below the DPA, you will receive an alert when attempting to award the eQuote.



The following screen appears when you click to award the eQuote.

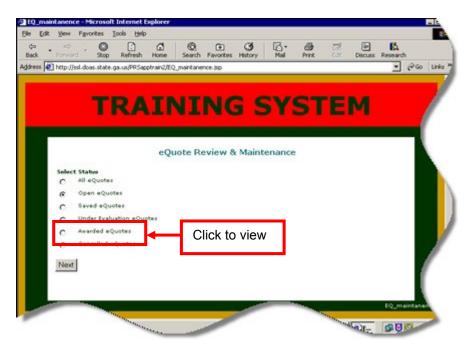


If this is the case you must submit the One-Time Request to Exceed DPA Form to SPD and work with SPD to determine how to work through this eQuote.

Reviewing Awarded eQuotes

You can review eQuotes and the award decision after the award by returning to the Review & Maintenance screen.

1 To review awarded eQuotes, click on Awarded eQuotes.



A screen with all the eQuotes you have awarded displays.



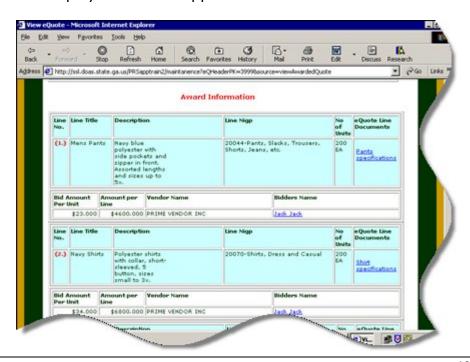
2 Click on the eQuote number and the following screen appears.



At this point, you can perform several functions:

• View an awarded eQuote

Click View Awarded eQuote Information. The eQuote displays with the supplier who was awarded each line.



Edit an Awarded eQuote

The only edit that you can perform is to add or delete a document. You use this function to attach the NOA.

Re-award

This manual reviews how to re-award in previous sections.

Create an Excel Spreadsheet from an Awarded eQuote.

eQuote provides you with the ability to create an Excel spreadsheet that includes all of the bid response information, which you can copy and save. You should also include the date you created the spreadsheet and any additional information that you might need for future documents.

To obtain the spreadsheet, return to the awarded eQuote (this function is also available with an Under Evaluation eQuote).



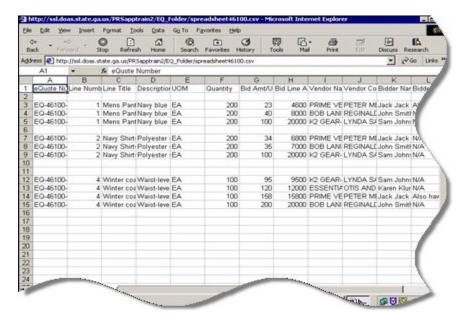


2 Click on Export Bid Responses to Excel Spreadsheet. The following screen appears.



This is a sample spreadsheet created from an awarded eQuote.

The information contained provides only the submitted pricing by each line, ranked from low to high. You should add columns or rows for all other bid requirements to this spreadsheet.

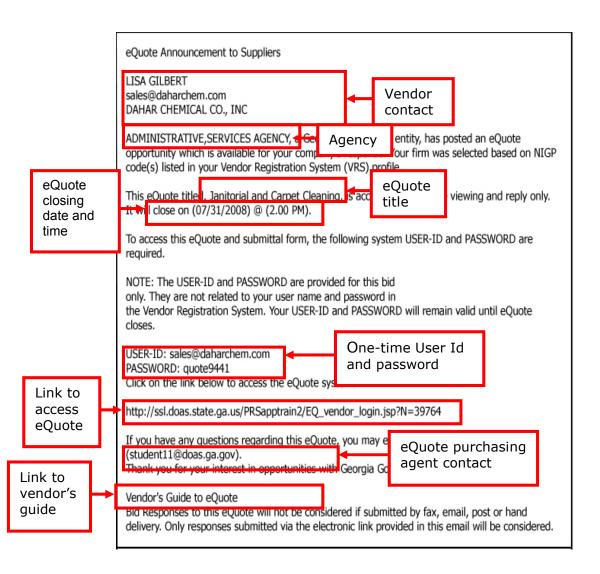


What the Suppliers See and Do

This section reviews the information the suppliers receive from eQuote and the steps they follow to participate.

Getting Notice of the eQuote Bid Opportunity

A supplier may receive notice of an eQuote opportunity through an email sent by the eQuote system. This is an example of the invitational email the supplier receives to participate in an eQuote.



Steps the Supplier Takes to Respond to the eQuote Invitation

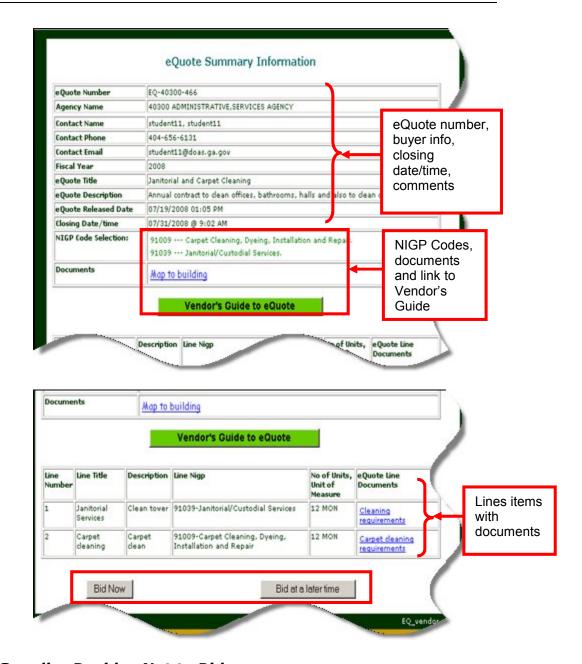
The eQuote invitational email includes the link the supplier uses to access eQuote. The supplier can only use the one-time User ID and Password to access to this eQuote.

The supplier is able to use this same User ID, password and link up until the eQuote closes. If the supplier deletes this email, the Purchasing agent can resend the information or they select to have the information resent to them.

When the supplier clicks on the link, it opens the following screen.



When the supplier clicks Submit the following screen displays.



Supplier Decides Not to Bid

If the supplier decides not to bid on this eQuote, the email may be deleted. If the supplier changes his/her mind, the supplier will need to contact the purchasing agent and request the email invitation to be re-sent.

Supplier Decides to Bid Later

A supplier can decide to bid later by clicking Bid at a Later

Time. When suppliers click this button, the GPR displays to allow them to review other bid opportunities of interest.

The supplier can return to the eQuote opportunity at any point up to the closing date and time using the same User ID and password provided in the invitational email.

Supplier Decides to Bid Now

If the supplier was added to the solicitation's participants list using the Add Vendor function, the supplier accesses the Team Georgia Market Place first. The supplier must register before he/she can access the eQuote Vendor Bid Form.

A registered supplier who decides to bid now accesses the eQuote Vendor Bid Form. This form contains three sections: The first section provides the information about the eQuote:

- The eQuote number and title
- The agency
- The purchasing agent and email address and phone number
- The eQuote release date and time
- The closing date and time
- The NIGP Codes associated with the eQuote
- General documents or instructions on the Header section

The second section includes the following:

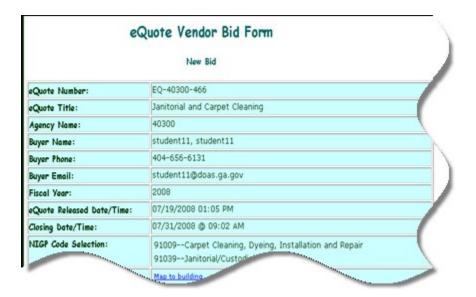
- Area for the supplier to add documents to the Header
- Supplier's name, phone number and email address
- Box for the supplier to add comments
- Solicitation Instructions that the supplier can open, read and print
- Terms and Conditions
- An *I Agree* check box for the supplier to agree to the Terms and Conditions. If the supplier does not check this box, the supplier receives an error message.

The third section includes the following:

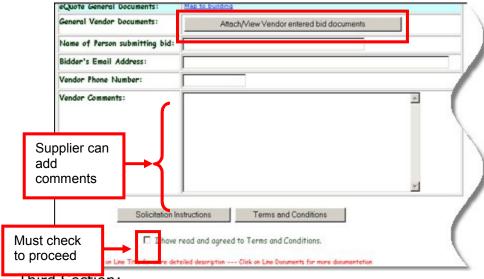
- A link to the Supplier's Guide
- Each line item with an area for the supplier to make comments, the ability to add documents, an area to either

- enter the price or check *No bid*, and the attached documents by the purchasing agent for that line
- Any deleted lines
- The total amount tabulation for all lines to allow the supplier to provide a price
- A reminder that each line pricing is to include the shipping cost
- A statement that the purchasing agent cannot view any comments or questions until after the bid closing
- The final submit button

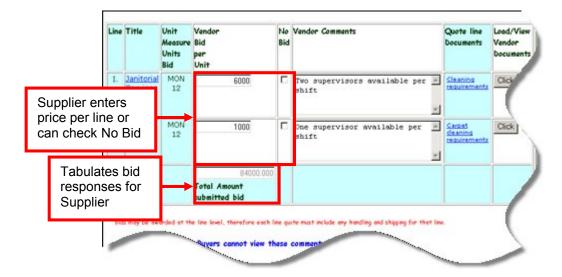
First section:



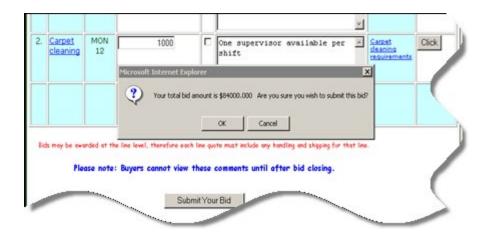
Second section:



Third Section:



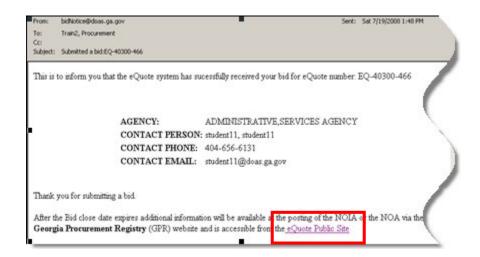
After clicking to submit the bid, the eQuote system prompts the supplier to confirm the bid amount.



If the supplier clicks Ok, eQuote submits the bid and the following screen displays.



This notice explains that the purchasing agent will not be able to view any comments placed on the eQuote response until after the eQuote closes. The notice also explains the availability of the eQuote Public Site as well as a link to that site. The supplier then receives an email confirming the bid response.



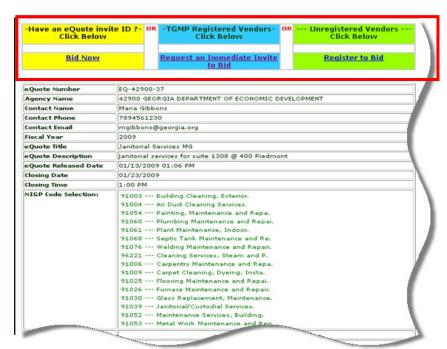
If the supplier does not receive the email confirmation response, eQuote did not successfully receive the bid. It is also important to note that the time eQuote receives the bid response is the actual time of the bid response and not the time when the supplier sends the bid response. Often there is a two-three minute delay.

Supplier accessing the bid from the GPR

Suppliers are able to access bid information by going into the eQuote Public Site from the GPR. Once Suppliers locate bids they may be interested in they are given three choices:

- Bid Now If a supplier has a User ID and Password they are able to submit a Bid. Choosing this option will walk them through the process of submitting a bid and any associated documentation.
- Request an Immediate Invite to Bid This choice allows TGMP registered suppliers to request an email notification that would provide them with a User ID and Password to submit a bid response.
- Register to Bid This choice allows Suppliers who are not registered through Team Georgia Market Place to complete the registration process. Once the process is completed they are able to submit a bid response for the selected solicitation as well as receive future notifications of available bid requests.

The following screen displays once a supplier selects



the bid request they are interested in bidding on:

When selecting **Bid Now** the following screen displays.



At this point, Suppliers enter in the User ID and Password they received in the email notification when the bid was originally posted. This would give them access to completing the bid process.

Team Georgia Market Place registered suppliers have the opportunity to request to receive an invitation to bid. When a

supplier selects **Request an Immediate Invite to Bid** the following screen displays to allow the supplier to enter his/her email address.



The supplier must enter the email address they used to register on Team Georgia Market Place. Once the supplier enters the email address and clicks Submit to submit it, eQuote displays this screen with a confirmation message.



If a supplier has already received notification, eQuote displays a message indicating when the invitation was sent and provides him/her with the opportunity to resend the notification.

If a supplier is unregistered, he/she has the option of selecting **Register to Bid** to register on Team Georgia Market Place. Those registering have an option of registering as a Supplier or a Soucing Bidder.

Sourcing Bidder - If your company provides goods or services but has never had a purchase order, received a remittance, or been awarded a contract by the State of Georgia, you need to register as a sourcing bidder.

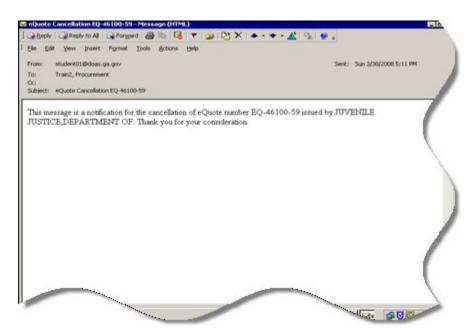
Your company may fit into this category even if it is active in our current Vendor Registration System. Review instructions prior to registering.

Supplier - If your company has had a purchase order, received a remittance, or has been awarded a contract by the State of Georgia, you need to register as a supplier. A company in this category will have a PeopleSoft vendor number in our Financials system. Review instructions prior to registering.

While the Bid is Still Open

Certain situations may occur that cause the supplier to receive an email notification regarding the eQuote between the posting of the eQuote and the evaluation of the eQuote.

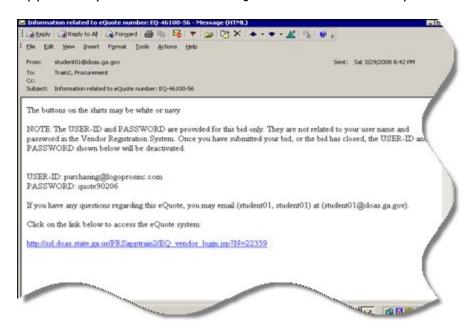
 The purchasing agent may cancel the eQuote. If this happens, the supplier receives an email stating the eQuote has been cancelled.



• The Issuing Officer made changes to the eQuote. This might include a change in the eQuote closing or an addendum to the specifications or line items.



Any time eQuote sends an email, the supplier has the

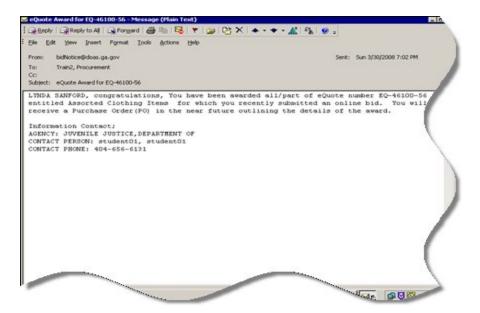


opportunity to return to the eQuote and edit the response.

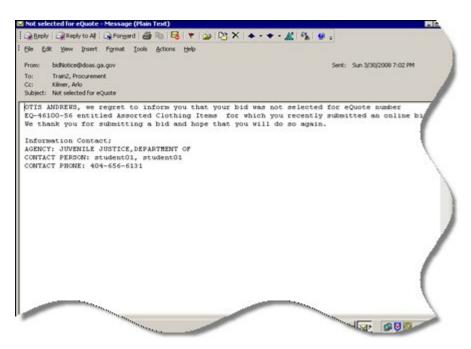
If you need additional information available on the functions available to the supplier, review the supplier's guide to eQuote.

After the Bid Closes

Once you make the award, all suppliers receive notification of the decision. The supplier who is awarded all or part of the eQuote receives the following email.



The suppliers who do not receive the award receive the following email.



In addition, suppliers can go to the automated system on the eQuote Public Site and view a listing of all closed eQuotes.

Frequently Asked Questions (FAQ's)

Below is a list of FAQ's.

Getting started (purchasing agents):

- Q How do I get started using eQuote as a user?
- A You must have authorization to use eQuote. Your Agency Procurement Officer (APO) or University Procurement Officer (UPO) is responsible for determining who is authorized to use eQuote and for adding you into the Georgia Procurement Registry (GPR).
- Q Is it required to be a registered buyer in order to post a bid using the eQuote system?
- A Yes. Your Agency Procurement Office (APO) determines who has access to eQuote and assigns each buyer authority to use the eQuote system.
- Q Will my agency be required to subscribe to PeopleSoft in order to use eQuote?
- A No, eQuote is a stand-alone system.

The supplier UserID and password:

- Q What is the supplier's eQuote UserID and password?
- A The supplier's eQuote UserID and password are unique to each eQuote. Do not confuse the supplier's eQuote UserID and password with the UserID and password a supplier has for the Team Georgia Market Place.

When Can I Use eQuote?

- Q What types of solicitations should you use eQuote for?
- A eQuote was designed for simple solicitations where price is the only determining factor. You can use eQuote for commodity and service procurements. You cannot use eQuote to solicit construction bids or for sole source solicitations.

- Q Why can't I use eQuote for any construction bids?
- A You cannot use eQuote for any construction bids because these bids require the use of a project manual and must be posted for 30 days.
- Q What types of procurement items are eligible/recommended for eQuotes?
- A Use eQuote for any simple price-only bid response.
- Q Can I use eQuote for Sole-Source purchases?
- A No.
- Q Can I use eQuote for a sole brand where I indicate a specific make and model? For anything else, do you need cut sheets or specs from the bidder to verify conformance to stated specs?
- A Yes, you can use eQuote for sole brand solicitations including a description and more documentation for more specifications if you choose.
- Q Can I use eQuote for food purchase solicitations that require taste/test panel evaluations in order to determine if product meets specifications?
- A No, do not use eQuote for complex solicitations.
- Q Is gutter installation or air duct cleaning services considered as "Construction" which would require 30 days per law as stated? Please elaborate on what we would need to do for facility maintenance.
- A No, gutter installation and air duct cleaning is not construction. It is a service that you can post on eQuote. If you are going to use eQuote to award based on more than just price, use an RFP for service related sourcing events.
- Q Can I use the eQuote system for printing of magazines and handbooks?
- A Yes, because you could ask for a sample.
- O If an award has been made to the lowest bidder via the

eQuote system and that supplier does not pass a background check how do we go about awarding to the next lowest supplier?

A eQuote provides you with the ability to re-award.

Adding a Supplier:

- Q Does the requirement to include at least 12 suppliers remain, and if not, what are the new requirements?
- A The requirements have changed to include a minimum of 20 suppliers. However, you may add an unlimited number of suppliers.
- Q Can I add a supplier to the suppliers added randomly by eQuote?
- A Yes. The supplier must be register in Team Georgia Market Place.
- Q When adding suppliers, it is only possible to use one NIGP code, and if a supplier that you pick is registered incorrectly then, the supplier needs to correct their NIGP registration. However, if you can add a supplier after the eQuote has been issued, but not awarded, does that supplier have to have the same NIGP code as what is in eQuote or can the NIGP code be different?
- A You can add a supplier who has a different NIGP Code and make the award, but then you should ask the supplier to update his/her profile to include the additional NIGP Code.

Explaining policy, process, terminology and technology issues:

- Q Will eQuote replace the requirement to post to the Georgia Procurement Registry?
- A Yes, only those solicitations being processed through the eQuote system.
- Q Can I use a P-card to pay for an eQuote?
- A You can use a P-card as a form of payment for eQuote as long as you follow the policies and procedures the P-card.

- Q For bids under \$10,000, I have been using faxes. Can I use both eQuote and a fax when purchasing items or services below \$10,000?
- A No. You must use eQuote.
- Q Can I include a pre-bid conference or a site visit as a part of an eQuote?
- A Yes. However, a pre-bid conference must take place at least five days prior to the closing of any bid including an eQuote bid. If you decide to include a pre-bid conference, you must consider the length of time for which to post the eQuote.
- Q What guidelines would a purchasing agent use to determine the number of days an eQuote should be posted?
- A eQuote provides a chart to assist you in determining the number of days to post the eQuote. The User's Guide also provides this information.
- Q Can suppliers add documents to their bid submissions?
- A Yes.
- Q Do I still have to use RFQs in addition to eQuote?
- A No, eQuote is designed to replace RFQs.
- Q Define the term dollar value used in eQuote.
- A The dollar value is the estimated dollar amount for that eQuote.
- Q If I cancel an eQuote, can I later go back and copy the eQuote to create another eQuote?
- A Yes
- Q If I make an award and after the award the supplier cannot deliver, will eQuote allow a change of the eQuote in the system?
- A Yes, you can re-award with eQuote.
- Q What if a supplier wants to partner with another supplier in

- order to bid, and what about suppliers who are comprised of individual contractors who can be hired to operate under the same corporate umbrella?
- A If there is a partnership, they must be registered under the Team Georgia Market Place as such.
- Q Can you copy/transfer information on a prior RFQ in PeopleSoft to eQuote?
- A No, you must type each line separately.
- Q Will eQuote incorporate the Reverse Auction process?
- A No.

Making an award:

- Q Can the eQuote award be split among suppliers?
- A Yes.
- Q If a supplier is to respond to each NIGP on each line and the supplier does not provide the particular goods/services for one of multiple lines on the eQuote bid, how do they respond?
- A There is a box for *No Bid* at each line.
- Q If a supplier used 0.00 as the bid amount, this will cause the supplier to be the low bidder. Does the system accept 0.00 as a legitimate amount?
- A The system may allow such a bid, but when you review the bids, you will notice the 0.00 amount. This is a valid reason to deny that supplier the award. You should contact the supplier to ask if 0.00 was intentionally entered. If the reason is because the supplier does not have that item or service, you must deny the eQuote for that supplier. However, if the reason is because the supplier is not charging for that item or service, you may consider the bid response and document the information.

NIGP Codes:

Q Can I use more than one NIGP code in an eQuote?

A Yes, you may include an unlimited number of NIGP Codes.

Vendor notification:

- Q What types of notifications do eQuote selected suppliers receive?
- A Selected suppliers, both randomly selected and those added by the buyer, receive the following email notifications:
 - An invitation to participate in the eQuote solicitation
 - An acknowledgment that their eQuote has been received
 - A notice of any change or correction to the eQuote (optional)
 - A notice if the supplier has been awarded the eQuote
 - A notice if the supplier has not been awarded the eQuote
 - An NOIA for eQuotes \$100,000 and above
 - A notice if the eQuote has been canceled

Documentation:

- Q Following award of the eQuote, how long does the system maintain information? For records retention purposes, can I rely on the information stored in the system or should I print hard copies for our files?
- A It is recommend to maintain a copy of your eQuote in your bid files.

Getting Help:

- Q What should I do if I have problems with eQuote?
- A DOAS State Purchasing has Help Desk staff. You can contact the Help Desk during regular business hours at 404-657-6000.

Appendix A: State of Georgia eQuote Solicitation Instructions

You can supplement these instructions by including additional instructions or special terms provided by the Agency in the Request for Quotes.

1.0 DEFINITIONS

- **1.1** "Agency" means the State of Georgia entity identified in the eRFQ to contract with the successful supplier.
- **1.2** "eRFQ" means the electronic Request for Quotes (and any amendments or addenda thereto).
- **1.3** "Response" means the supplier's quote, including any accepted modifications or clarifications.

2.0 SOLICITATION

- **2.1 eRFQ Requirements.** Suppliers must respond as directed to all required specifications or other mandatory requirements, including providing all requested information, forms, product samples, or demonstrations.
- 2.2 References to Brand Name Products. Unless otherwise specified, references to brand name or trade name/mark products are intended to be descriptive, but not restrictive, and are used to indicate the quality and characteristics of products that may be offered. Other products may be considered for award if such products are clearly identified and are determined by the Agency to meet its needs in all respects. All responses must indicate the brand name and model or series number of the product offered as well as specifications, catalog pages, or other data that will provide an adequate basis for determining the quality and functional capabilities of the product offered.
- **2.3** Amending or Canceling the Solicitation. The Agency reserves the right to amend the eRFQ without prior notice, at any time, at its sole discretion by one

or more written addenda. The eRFQ may be withdrawn or cancelled by the Agency at any time.

3.0 SUPPLIER'S SUBMITTED RESPONSE

agrees that the Response constitutes an offer, which, when accepted in writing by the Agency, and subject to the terms and conditions of such acceptance, will constitute a valid and binding contract between the supplier and the Agency. Unless indicated otherwise in the eRFQ, the offer conveyed by the Response shall remain open for a period of thirty (30) days from the date of the eRFQ closing, which offer may be extended with the supplier's consent. All Responses shall be made in accordance with the provisions of the Georgia Vendor Manual, these instructions and the eRFQ. In case of a conflict between these instructions and the Georgia Vendor Manual, the former shall govern.

3.2 Supplier Pricing.

- **3.2.1 Offered Pricing.** Suppliers must quote net prices. In the event there is a discrepancy between the quoted unit price and the extended price, the unit price shall govern.
- **3.2.2 Cash Discounts.** Any cash discount offered to the Agency must be clearly identified in the Response. In the event that the State is entitled to a cash discount, the period of computation will commence on the date of delivery or receipt of a correctly completed invoice indicating the discount, whichever occurs later.
- **3.3 Delivery.** Unless otherwise specified in any terms and conditions attached to the eRFQ, all product deliveries will be F.O.B. destination and all shipping charges must be included in the quoted cost.

3.4 Impermissible Language.

3.4.1 Late Charges or Interest Charges.

Responses containing provisions for late or interest charges cannot be awarded a contract. Suppliers must "strike through" any such provisions in printed forms

and initial such revisions prior to submitting a Response to the Agency.

- **3.4.2 "Minimum" Provisions**. Responses containing minimum order, shipping quantity, or dollar value provisions, unless otherwise called for in the eRFQ, may be determined non-responsive.
- **3.4.3 Prepayment or Progress Payment.**Responses containing prepayment and/or progress payment requirements may be determined non-responsive unless otherwise permitted by the eRFQ.
- **3.4.4 Payment in Less Than Thirty Days.** Unless permitted by the eRFQ, Responses requiring payment from the Agency in less than thirty (30) days will be considered non-responsive.
- **3.4.5 Taxes.** The State is exempt from certain taxes and no provision for such taxes should be included in the Response.
- **3.5 Identifying Supplier Exceptions.** Any permitted exceptions to the eRFQ, including any attached contract terms and conditions, must be clearly and separately identified in the Response. The Agency reserves the right to reject any or all of the proposed exceptions or modify the contract consistent with the successful supplier's Response, provided that no such modifications would, in the sole discretion of the Agency, affect the eRFQ evaluation criteria or give the successful supplier a competitive advantage.
- **3.6 Public Records.** The supplier is hereby notified that any and all materials submitted in response to this eRFQ are subject to the provisions of the Georgia Open Records Act (O.C.G.A. § 50-18-70 et seq.).
- **3.7 Submitting Supplier Responses**. The Response and all submitted materials become the property of the State. The supplier shall be solely responsible for any costs associated with developing and preparing the Response.
- **3.8 Response Withdrawal.** Responses may be

withdrawn by the supplier prior to the eRFQ closing date.

4.0 EVALUATION AND CONTRACT AWARD

- **4.1 Award Criteria.** Any contract award resulting from the eRFQ will be made to the lowest, responsive and responsible supplier meeting all specifications and with whom the Agency has reached agreement on all contract terms and conditions.
- 4.2 Agency's Rights. The Agency reserves the right to: (a) waive minor irregularities, variances or nonmaterial defects in a Response; (b) reject any and all Responses, in whole or in part; (c) request clarifications from suppliers; (d) request resubmissions from all suppliers; (e) make partial, progressive or multiple awards; and (f) take any other action as permitted by law.
- 4.3 Resolving Contract Exceptions. Prior to contract award, the apparent winning supplier may be required to enter into discussions with the Agency to resolve any contractual differences. If contract discussions are not finalized within such reasonable time frame as is identified by the Agency, the Response may be rejected and discussions may be initiated with the next best ranked supplier.
- 4.4 Reciprocal Preference Law. For the purposes of evaluation only, suppliers resident in the State of Georgia will be granted the same preference over suppliers resident in another state in the same manner, on the same basis, and to the same extent that preference is granted in awarding contracts for the same goods or services by such other state to suppliers resident therein over suppliers resident in the State of Georgia. For the purposes of this law, the definition of a resident supplier is one who maintains a place of business with at least one employee inside the State of Georgia.
- **4.5** Supplier Registration Requirement. No award will be made to any supplier not registered with the Department of Administrative Services' Team

Georgia Market Place.

4.6 Small and Minority Business Participation. It is the policy of the State of Georgia that small and minority business enterprises shall have a fair and equal opportunity to participate in the State purchasing process. Therefore, the State of Georgia encourages all small and minority business enterprises to compete for, win and receive contracts for goods, services and construction. Also, the State encourages all companies to subcontract portions of any State contract to small and minority business enterprises.

5.0 SUPPLIER CONDUCT

- **5.1 Supplier Communication with the State.** Suppliers shall not communicate with state staff regarding the eRFQ before contract award or cancellation of the eRFQ, except through the identified Agency representative. Responses submitted by suppliers violating this provision are subject to rejection.
- **5.2 Informal Complaints.** If the Agency is subject to the State Purchasing Act (Code Sections 50-5-50 et seq.), suppliers must comply with Section 3.8 of the *Georgia Vendor Manual* regarding informal complaints.

Appendix B: State of Georgia eQuote STANDARD TERMS AND CONDITIONS FOR GOODS AND/OR SERVICES

You may supplement or revise these terms and conditions with additional instructions or special terms with the Request for Quotes. In the event of a conflict between these eQuote Standard Terms and Conditions for Goods and/or Services and the additional instructions or special terms provided by the Agency with the Request for Quotes, the latter shall govern.

A. DEFINITIONS

Definitions. The following words shall be defined as set forth below:

- (i) "Agency" means the State of Georgia entity identified in the eRFQ to contract with the successful supplier.
- (ii) "Contract" means the agreement between the Agency and the Contractor as defined by the State of Georgia eQuote Standard Terms and Conditions and all incorporated documents.
- (iii) "Contractor" means the provider of the goods and/or services under the Contract.
- (iv) "Response" means the contractor's submitted response to the eRFQ, including any modifications or clarifications explicitly accepted by the Agency in writing.
- (v) "eRFQ" means the Request for Quotes or other solicitation document (and any amendments or addenda thereto) that was used to solicit the goods and/or services that are subject to the Contract.

B. INCORPORATED DOCUMENTS

The terms, conditions, and specifications of the eRFQ and the Contractor's Response are hereby incorporated by reference and made a part hereof just as if they had been fully set out herein. In the case of any inconsistency or conflict among the specific

provisions of the Contract and any incorporated documents, any inconsistency or conflict shall be resolved as follows: first, by giving preference to the specific provisions of the Contract; second, by giving preference to the specific provisions of the eRFQ; and third, by giving preference to the specific provisions of the Contractor's Response. Any pre-printed terms and conditions included on Contractor's forms or invoices shall be null and void.

C. DURATION OF CONTRACT

The Contract between the Agency and the Contractor shall begin and end on the dates specified in the eRFQ (or upon completion of all deliverables), unless terminated earlier in accordance with the applicable terms and conditions of this Contract. Pursuant to O.C.G.A. Section 50-5-64, this Contract shall not be deemed to create a debt of the State for the payment of any sum beyond the fiscal year in which the appropriations have been made.

D. DELIVERABLES

- Specifications in Bidding Documents. The
 Contractor shall provide all goods, services, and other
 deliverables required in the eRFQ that comply with the
 specifications contained in the eRFQ and the terms of
 the Contract, plus those goods, services and other
 deliverables as may additionally be described in
 Contractor's Response.
- 2. Product Shipment and Delivery. All products shall be shipped F.O.B. destination, freight prepaid and included to the location(s) specified in the eRFQ or as provided in the Agency's purchase instrument. All items shall be at the Contractor's risk until they have been delivered and accepted by the receiving entity. All items shall be subject to inspection on delivery. Hidden damage will remain the responsibility of the Contractor to remedy without cost to the Agency, regardless of when the hidden damage is discovered.
- 3. Non-Exclusive Rights and No Minimums
 Guaranteed. The Contract is not exclusive. The
 Agency reserves the right to select other contractors to
 provide goods and services similar to goods and
 services described in the Contract during the term of
 the Contract. The Contract does not guarantee any

minimum level of purchases unless stated otherwise in the eRFO.

E. COMPENSATION

- 1. **Pricing.** The Contractor will be paid for the goods and services sold pursuant to the Contract in accordance with the Contract. Unless clearly stated otherwise in the eRFQ, all prices are firm and fixed and are not subject to variation. Prices include, but are not limited to freight, insurance, fuel surcharges and customs duties.
- 2. **Billings.** If applicable, and unless the eRFQ provides otherwise, the Contractor shall submit, on a regular basis, an invoice for goods and services supplied to the Agency under the Contract at the billing address identified by Agency and the Agency shall remit payment to the Contractor within thirty (30) calendar days of the Agency's receipt of the invoice.
- 3. Delay of Payment Due to Contractor's Failure. If the Agency in good faith determines that the Contractor has failed to perform or deliver any service or product as required by the Contract, the Contractor shall not be entitled to any compensation under the Contract until such service or product is performed or delivered. In this event, the Agency may withhold that portion of the Contractor's compensation which represents payment for services or products that were not performed or delivered.

F. TERMINATION

1. Immediate Termination. Pursuant to O.C.G.A. Section 50-5-64, this Contract will terminate immediately and absolutely if the Agency determines that adequate funds are not appropriated or granted or funds are de-appropriated such that the Agency cannot fulfill its obligations under the Contract, which determination is at the Agency's sole discretion and shall be conclusive. If the Agency declares a lack of funding pursuant to this paragraph, the Agency will not contract for the same goods or services during the remainder of the fiscal year (July 1 – June 30) in which

the lack of funding was declared.

- 2. **Termination Upon Notice.** Following thirty (30) calendar days' written notice, the Agency may terminate the Contract in whole or in part without the payment of any penalty or incurring any further obligation to the Contractor.
- 3. Payment Limitation in Event of Termination. In the event of termination of the Contract for any reason by the Agency, the Agency shall pay only those amounts, if any, due and owing to the Contractor for goods and services actually rendered up to and including the date of termination of the Contract and for which the Agency is obligated to pay pursuant to its Contract or purchase instrument. Payment will be made only upon submission of invoices and proper proof of the Contractor's claim. This provision in no way limits the remedies available to the Agency under the Contract in the event of termination.
- 4. The Contractor's Termination Duties. Upon receipt of notice of termination or upon request of the Agency, the Contractor shall cease work under the Contract and take all necessary or appropriate steps to limit disbursements and minimize costs. Contractor shall immediately cease using and return to the Agency any personal property or materials, whether tangible or intangible, provided by the Agency to the Contractor. Further, the Contractor shall immediately return to the Agency any payments made by the Agency for goods and services that were not delivered or rendered by the Contractor.

G. PATENT/COPYRIGHT INFRINGEMENT INDEMNIFICATION

Contractor shall, at its own expense, be entitled to and shall have the duty to participate in the defense of any suit instituted against the State and indemnify the State against any award of damages and costs made against the State by a final judgment of a court of last resort in such suit insofar as the same is based on any claim that any of the goods and/or services constitutes an infringement of any United States Letters Patent or copyright, provided the State gives the Contractor immediate notice in writing of the

institution of such suit, permits Contractor to fully participate in the defense of the same, and gives Contractor all available information, assistance and authority to enable Contractor to do so. Subject to approval of the Attorney General of the State of Georgia, the Agency shall tender defense of any such action to Contractor upon request by Contractor. Contractor shall not be liable for any award of judgment against the State reached by compromise or settlement unless Contractor accepts the compromise or settlement. Contractor shall have the right to enter into negotiations for and the right to effect settlement or compromise of any such action, but no such settlement shall be binding upon the State unless approved by the State.

In case any of the goods and/or services is in any suit held to constitute infringement and its use is enjoined, Contractor shall, at its option and expense:

- (i) Procure for the State the right to continue using the goods and/or services;
- (ii) Replace or modify the same so that it becomes noninfringing; or
- (iii) Remove the same and cancel any future charges pertaining thereto.

Contractor, however, shall have no liability to the State if any such patent, or copyright infringement or claim thereof is based upon or arises out of:

- Compliance with designs, plans or specifications furnished by or on behalf of the Agency as to the goods and/or services;
- (ii) Use of the goods and/or services in combination with apparatus or devices not supplied by Contractor;
- (iii) Use of the goods and/or services in a manner for which the same was neither designed nor contemplated; or
- (iv) The claimed infringement of any patent or copyright in which the Agency or any affiliate or subsidiary of the Agency has any direct interest by license or otherwise.

The indemnification obligation of the Contractor shall survive

termination of the Contract.

H. INSURANCE AND BONDS

Contractor shall provide all insurance and all required bonds in accordance with the eRFQ.

I. Warranties.

The Contractor represents and expressly warrants that all aspects of the goods and services provided or used by it are merchantable and shall at a minimum conform to the standards in the Contractor's industry. The warranties expressed in the Contract are intended to modify the warranties implied by law only to the extent that they expand the warranties applicable to the goods and services provided by the Contractor. Acceptance by the Agency shall not relieve the Contractor of its warranty or any other obligation under the Contract.

- 1. Originality and Title to Concepts, Materials, and Goods Produced. Contractor represents and warrants that all the concepts, materials, goods and services produced, or provided to the State pursuant to the terms of the Contract shall be wholly original with the Contractor or that the Contractor has secured all applicable interests, rights, licenses, permits or other intellectual property rights in such concepts, materials and works. Contractor represents and warrants that title to any property assigned, conveyed or licensed to the Agency is good and that transfer of title or license to the State is rightful and that all property shall be delivered free of any security interest or other lien or encumbrance.
- 2. Authority to Enter into Contract. The Contractor represents and warrants that it has full authority to enter into the Contract and that it has not granted and will not grant any right or interest to any person or entity that might derogate, encumber or interfere with the rights granted to the State and the Agency.

J. CONTRACT ADMINISTRATION

 Compliance with the Law. The Contractor, its employees, agents, and subcontractors shall comply with all applicable federal, state, and local laws, rules, ordinances, regulations and orders now or hereafter in effect when performing under the Contract. The provisions of O.C.G.A. Section 45-10-20 et seq. have not and must not be violated under the terms of this Contract.

- **2. Drug-free Workplace.** The Contractor hereby certifies as follows:
 - (i) Contractor will not engage in the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana during the performance of this Contract; and
 - (ii) If Contractor has more than one employee, including Contractor, Contractor shall provide for such employee(s) a drug-free workplace, in accordance with the Georgia Drug-free Workplace Act as provided in O.C.G.A. Section 50-24-1 et seq., throughout the duration of this Contract; and
 - (iii) Contractor will secure from any subcontractor hired to work on any job assigned under this Contract the following written certification: "As part of the subcontracting agreement with (Contractor's Name), (Subcontractor's Name) certifies to the contractor that a drug-free workplace will be provided for the subcontractor's employees during the performance of this Contract pursuant to paragraph 7 of subsection (b) of Code Section 50-24-3."

Contractor may be suspended, terminated, or debarred if it is determined that:

- (i) Contractor has made false certification here in above; or
- (ii) Contractor has violated such certification by failure to carry out the requirements of O.C.G.A. Section 50-24-3(b).
- **3. Amendments.** The Contract may be amended in writing by mutual consent of the parties. All

- amendments to the Contract must be in writing and fully executed by duly authorized representatives of the parties.
- 4. Third Party Beneficiaries. There are no third-party beneficiaries to the Contract. The Contract is intended only to benefit the Agency, the State, and the Contractor.
- Georgia shall govern and determine all matters arising out of or in connection with this Contract without regard to the choice of law provisions of State law. In the event any proceeding of a quasi-judicial or judicial nature is commenced in connection with this Contract, such proceeding shall solely be brought in a court or other forum of competent jurisdiction within Fulton County, Georgia. This provision shall not be construed as waiving any immunity to suit or liability, including without limitation sovereign immunity, which may be available to the State.
- **6. Integration.** The Contract represents the entire agreement between the parties.
- 7. Notice. Any and all notices, designations, consents, offers, acceptances or any other communication provided for herein shall be given in writing by registered or certified mail, return receipt requested, by receipted hand delivery, by Federal Express, courier or other similar and reliable carrier which shall be addressed to the person who signed the Contract on behalf of the party at the address identified in the eRFQ.
- **8. Severability.** If any provision of the Contract is determined by a court of competent jurisdiction to be invalid or unenforceable, such determination shall not affect the validity or enforceability of any other part or provision of the Contract.
- **9. Time is of the Essence.** Time is of the essence with respect to the performance of the terms of the Contract.

10. Debarred, Suspended and Ineligible Status.

Contractor certifies that the Contractor and/or any of its subcontractors have not been debarred, suspended or declared ineligible by any agency of the State of Georgia. Contractor will immediately notify the Agency if Contractor is debarred by the State or placed on the Consolidated List of Debarred, Suspended and Ineligible Contractors by a federal entity.

- **11. Taxes.** The Agency is exempt from certain sales and use taxes. By executing the Contract the Contractor certifies it is either (a) registered with the Georgia State Department of Revenue, collects, and remits State sales and use taxes as required by Georgia law, including Chapter 8 of Title 48 of the O.C.G.A.; or (b) not a "retailer" as defined in O.C.G.A. Section 48-8-2.
- 12. Force Majeure. Neither party will be liable to the other party for nonperformance resulting from labor strikes, riots, wars, acts of governmental authorities preventing performance, extraordinary weather conditions or other natural catastrophe, or any other cause beyond the reasonable control or contemplation of either party.

13. Limitation of Contractor's Liability to the State.

Except as otherwise provided in this Contract, Contractor's liability to the State for any claim of damages arising out of this Contract shall be limited to direct damages and shall not exceed the total amount paid to Contractor for the performance under this Contract. No limitation of Contractor's liability shall apply to Contractor's liability for loss or damage to State equipment or other property while such equipment or other property is in the sole care, custody, and control of Contractor's personnel. Contractor hereby expressly agrees to assume all risk of loss or damage to any such State equipment or other property in the care, custody, and control of Contractor's personnel. Contractor shall only be liable to the extent of Contractor's contribution to the situation giving rise to the claim. Contractor shall have no liability if the situation giving rise to the claim results solely from the act or omission of the Agency. Nothing in this section shall limit or affect Contractor's liability arising from claims brought by any third party.

- 14. Obligations Beyond Contract Term. The Contract shall remain in full force and effect to the end of the specified term or until terminated or canceled pursuant to the Contract. All obligations of the Contractor incurred or existing under the Contract as of the date of expiration, termination or cancellation will survive the termination, expiration or conclusion of the Contract.
- 15. Transition Cooperation and Cooperation with other Contractors. Contractor agrees that upon termination of this Contract for any reason, it shall provide sufficient efforts and cooperation to ensure an orderly and efficient transition of services to the State or another contractor. The Contractor shall provide full disclosure to the State and the third-party contractor about the equipment, software, or services required to perform services for the State. The Contractor shall transfer licenses or assign agreements for any software or third-party services used to provide the services to the State or to another contractor.